Robert Gandy
Course Manager
805-549-3269

CALIFORNIA SPECIALIZED TRAINING INSTITUTE

P.O. Box 8123, San Luis Obispo, CA 93403-8123

October 15-19, 2007

Crisis Communications and the Media: Level One- CCM1-1-07

MONDAY –October 15, 2007

7:30-8:00	Registration	Ames Hall	CSTI Staff
8:00–8:30	Welcome and Course Overview	Classroom 2	Mr. Gandy
8:45–11:45	Communications Skills	"	Dr. Zeuschner
11:45-12:45	**LUNCH**	**Ames Hall**	
12:45-3:15	Developing News Releases and Workshop	Classroom 2	Ms. Sprowls
3:30–5:00	The Information Process	"	Ms. Boyer

TUESDAY – October 16, 2007

8:00–9:30	Meeting the Media's Needs	Classroom 2	Ms. Boyer
8:00–10:00	PIO Kit Display (Concurrent)	"	Mr. Summerfield
9:40–11:00	Crisis 101	"	Ms. Terrill
11:10–12:00	Interview Techniques	"	Mr. Saunders
12:00-1:00	**LUNCH**	**Ames Hall**	
1:15-3:00	Interview Lab Session #1	Breakout Rooms	Interview Team: (Boyer, Rossie,
3:15-5:00	Interview Lab Session #2	"	Kemp, Saunders, Fernandez, Summerfield, Terrill)

WEDNESDAY – October 17, 2007

8:00-10:00	Interview Lab Session#3	Breakout Rooms	Interview Team
10:15–11:45	Interview Lab Discussion Panel	Classroom 2	All Staff/Participants
11:45-1:15	**LUNCH**	**Participant's Choice**	
1:15-5:00	Hearst Castle - Field Trip	Hearst Castle	Mr. Eller
7:00-9:00	Evening Dinner - Optional	McLintock's	All

THURSDAY – October 18, 2007

8:00–10:20	Communicator in Crisis	Classroom 2	Mr. Rossie
10:30–11:45	PIO Team Development	"	Det. Lopez
11:45-12:45	**LUNCH**	**Ames Hall**	
12:45-5:00	PIO Team Workshop	Breakout Areas	Gandy/Lopez/Dunham

FRIDAY – October 19, 2007

8:00–10:00	Legal Issues	Classroom 2	Mr. Goddard
10:15–12:00	Course Review and Closing	"	Mr. Gandy

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OES CSTI California Specialized Training Institute

www.csti.ca.gov

August 28, 2007

Training Bulletin

Crisis Communications and the Media First Level Course

DATES:

October 27-31, 2008 (FULL)
April 20-24, 2009

LOCATIONS:

CSTI, San Luis Obispo, CA
CSTI, San Luis Obispo, CA

CSTI is pleased to announce the schedule for Crisis Communications and the Media - Level One. This is an active, hands on training course designed for those who will be working with the news media in times of crisis. This four level training program features an emphasis on leadership, teamwork and communication skills. People from all types of agencies are invited to attend.

Key Subject Areas:

- Meeting the Media's Needs
- On Camera Interview Labs
- How to Write & Use a News Release
- The Information Process
- Communicator in Crisis
- Developing a PIO Team
- Crisis Communications 101
- Legal Aspects

Class size is limited and features representatives from local, county, state, non-profit agencies as well as private industry, federal agencies and schools.

This course is **POST certified Plan III** for California law enforcement**. POST tuition reimbursement rate is $250.00 of the $650.00 tuition paid to CSTI**. It is conducted in partnership with the California Association of Public Information Officials (CAPIO) and the Southern California Emergency PIO Association (SCEPIOA).

Tuition: $650.00 **Tuition payment must be mailed to CSTI, or credit card information called in, prior to the start of the course. We are unable to accept tuition payments on the day of registration.** Late registration will be considered on a case-by-case basis, depending on availability. CSTI accepts checks, money orders, and credit cards (VISA, MasterCard and American Express). **Purchase orders are not accepted.** Checks should be made payable to STATE OF CALIFORNIA OFFICE OF EMERGENCY SERVICES. For credit card payments or questions about tuition contact Christine Low at (805) 549-3599, Christine_Low@oes.ca.gov. Our Federal Tax ID # is 68-0278801.

Apply immediately using the form below or online at **www.csti.ca.gov**. An information packet and map will be sent 4-8 weeks prior to the course. For registration questions call the Registrar Kayla Mikel at (805) 549-3536, Kayla_Mikel@oes.ca.gov or for course content, contact the Course Manager Rob Gandy at (805) 549-3269, Robert_Gandy@oes.ca.gov.

Crisis Communications & the Media 1st Level

❒ **October 27-31, 2008 (Standby)** ❒ **April 2-24, 2009**

Name: _____ **Title:** _____
Agency: _____
Address: _____
City: _____ **State:** _____ **Zip:** _____ **SS#** _____
Work Phone: _____ **FAX:** _____ **E-Mail:** _____
Send Confirmation To: _____ **E-Mail:** _____
Training Coordinator/Supervisor Signature: _____

Do you have any disabilities (including special allergies or medical conditions) that requires special consideration during your attendance? Yes__ No__ If so, please indicate on a separate piece of paper.

Please fill out this application and mail or FAX to: CSTI - P.O. Box 8123, San Luis Obispo, CA 93403-8123
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www.oes.ca.gov

OES CSTI California Specialized Training Institute

www.csti.ca.gov

June 27, 2007

Training Bulletin

Crisis Communications and the Media First Level Course

DATES:

October 15-19, 2007 (FULL)
April 21-25, 2008

LOCATIONS:

CSTI, San Luis Obispo, CA
Northern California

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Crisis Communications & the Media 1st Level

❒ **October 15-19, 2007 (Standby)** ❒ **April 21-25, 2008**

Name: _____ **Title:** _____
Agency: _____
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City: _____ **State:** _____ **Zip:** _____ **SS#** _____
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CSTI California Specialized Training Institute

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July 15, 2008

Training Bulletin

Crisis Communications and the Media First Level Course

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Address: _____

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CSTI California Specialized Training Institute

www.csti.ca.gov

Sept. 5, 2007

Training Bulletin

Crisis Communications and the Media First Level Course

DATE:
April 21-25, 2008

LOCATION:
Santa Clara County EOC
San Jose, California

CSTI is pleased to announce the schedule for Crisis Communications and the Media - Level One. This is an active, hands on training course designed for those who will be working with the news media in times of crisis. This four level training program features an emphasis on leadership, teamwork and communication skills. People from all types of agencies are invited to attend.

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Crisis Communications & the Media 1st Level
April 21-25, 2008

Name: _____ **Title:** _____
Agency: _____
Address: _____
City: _____ **State:** _____ **Zip:** _____ **SS#** _____
Work Phone: _____ **FAX:** _____ **E-Mail:** _____
Send Confirmation To: _____ **E-Mail:** _____
Training Coordinator/Supervisor Signature: _____

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California Specialized Training Institute

"CRISIS COMMUNICATIONS & THE MEDIA"

First Level Course

Plan of Instruction

Revised: July 2004

Course Manager Rob Gandy

Crisis Communications and the Media: First Level

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Crisis Communications and the Media: First Level

RATIONALE

The California Specialized Training Institute (CSTI) has led the nation in training Public Information Officers (PIO) with its PIO in Disasters and Hazardous Materials Incidents resident and on-site seminars and programs since 1984. The course series title is now Crisis Communications and the Media.

The training is directed toward those who need to know the responsibilities involved in disseminating critical information to the public through the media, both on a day-to-day basis and during crises. Since the previous title of The PIO in Disasters caused some confusion, the name was changed in the 1989/90 Academic Year to Crisis Communications and the Media. The content of the programs remains the same. The name has been changed to better represent the scope of the course.

Since April of 1984 over 2500 people have attended the PIO programs. As a result of comments and suggestions from many of those attendees, the first Advanced PIO course was held in January of 1988. The Advanced Course was built entirely on precepts taught in the introductory course and included new topics not explored in previous programs.

GOAL / PURPOSE

The Three-Level Crisis Communications and the Media Series is similar to those of existing, multi-year programs: progressive, systematic, and logical approaches to growth in professional development in a particular field. Because of its nature, the Public Information Officer position has many peculiarities that are common no matter where the position is found. In many respects it is like the position of City Clerk, City Manager, or other function that relies on certain general qualifications and background, but is specialized. Like the City Manager or City Clerk, the PIO has a scattered network of support found in associations and conferences.

The Three-Level Crisis Communications and the Media Series will follow the examples already set in many positions around California and the rest of the nation by providing a progressive learning experience. Each year participants will be involved in increasingly more advanced,

complex, and intense training.

OBJECTIVES

In CCM1 Participants will:

1) Learn team planning and team development among government, the media and volunteer agencies.

2) learn how to improve the rapid dissemination of emergency information to the public by proper use of available resources.

3) increase the awareness of Public Information Officers of the impact on the public and on the PIO of disasters.

4) learn how to open channels of information of coordination between government, the media, and the public.

5) become better interview subjects for the media, thus providing the public with a more professional, competent means of providing needed information.

QUALIFICATIONS FOR ATTENDANCE

Generally it is CSTI policy that everyone begins at the first Level, regardless of experience, education or current position. Anyone wishing to skip CCM1 and attend the second and third level courses may only do so with the approval of the instructor. The program is open to anyone whose duties include working with the media in times of crisis.

PRE-COURSE ACTIVITIES

Participants are encouraged to be prepared with speech topics, interview topics; and to bring a blank VHS videotape if the wish to tape their interviews and speeches.

Crisis Communications and the Media: First Level

INSTRUCTOR QUALIFICATIONS

Instructors are required to have experience, knowledge, and the ability to effectively communicate with participants in the class. Expertise in the media, public information or related areas is required. Advanced degrees in related fields are desirable but not required.

STRATEGY / STRUCTURE

Mornings will have lecture and interactive discussion. Afternoons will have group activities or break out groups combined with demonstrations. Group meetings will occur near the end of the day. There are no mandatory evening sessions, however, informal group activities and a class dinner are optional but encouraged activities.

UNITS OF INSTRUCTION

WELCOME, ORIENTATION, REGISTRATION, and COURSE OVERVIEW

1.5 Hours

Participants will be introduced to the objectives of the course, receive a general overview of the program, administrative announcements, and develop motivation and attitude for the involvement in the course.

Format: Lecture, slides, self-introductions

MEETING THE MEDIA'S NEEDS

1.5 Hours

A detailed examination of the planning, logistical and technical requirements of modern broadcast media. The typical TV and radio newsroom organization and structure are discussed. Also examined are needs of field reporters, assignment editors and photographers.

Crisis Communications and the Media: First Level

Format: Lecture, white board, breakout with videotape scenarios, discussion, handouts

COMMUNICATIONS SKILLS

2.5 Hours

This session combines lecture, discussion and small group breakouts (with speeches) to assist the participants with their basic public speaking skills. Techniques for making presentations before various groups are presented. Areas covered include: managing stress, speaking techniques, and speech organization**.**

Format: Lecture, discussion, breakout for individual speeches, handouts

TERRORISM AND THE PIO

2.0 Hours

The role of the public information officer in terrorist events is discussed. This includes an overview of terrorist activities worldwide, activities PIO's can be involved in pre-event, and the messages PIO's should be giving out when a terrorism incident occurs.

Format: Lecture, Team Breakouts

THE INFORMATION PROCESS

2.0 Hours

This is a detailed examination of the process of gathering information at a Command Post or Emergency Operations Center. Equipment and supplies required, a PIO Kit, and the information

officer functions are discussed. Also discussed are techniques for accurate, fast information gathering and analysis. A system for deciding priorities of information is presented, along with considerations for planning and implementing an Information Center, complete with Rumor Control, EAS (Emergency Alerting System), briefing and other sections.

Format: Lecture, discussion, in-class breakout, slides, overhead, white board

CRISIS 101

1.5 Hour

This is a step-by-step look at the basics of surviving a media crisis. Topics ranging from pre-disaster measures to post disaster after-action reports are covered. Tips to help keep the PIO sane and healthy are discussed.

Format: Lecture, discussion, white board, props, handouts

INTERVIEW TECHNIQUES

1.0 Hour

In preparation for the Interview Labs, this session is designed to present the tips and techniques to be used by participants during interviews with reporters. Overall attitude, strategy and bearing, along with tips for concise, carefully worded answers are discussed.

Format: Lecture, discussion, videotape examples of interviews, white board, handouts

INTERVIEW LABS

Crisis Communications and the Media: First Level

7.0 Hours

This activity is divided into three sessions. It uses a team teaching and lab approach. The class is divided into small group. Each group is assigned a series trainers who conduct videotaped simulated media interviews. While one participant is being interviewed, the rest of the group may act as reporters. Several different types of interviews are conducted. The tapes are then reviewed and each person is constructively critiqued.

Format: Breakout rooms, TV sets, camcorders, tripods, videotape; One trainer for each breakout area

COMMUNICATOR IN CRISIS

2.5 Hours

Using a crisis-public relations approach, this session deals with an aggressive approach to crises. Day to day practices applied to disasters, using all forms of media to reach the public before and during a crisis, and techniques and principles of crisis communications from a corporate and institutional perspective are addressed.

Format: Lecture, discussion, white board, handouts

INDEPENDENT STUDY-FIELD TRIP

4.0 Hours

Participants go on a special tour of Hearst Castle. The tour, conducted by an experienced PIO who emphasizes the role of the William R. Hearst publishing empire in national and world events. The media and its role in American history and the Hearst influence will also be discussed. Events and lessons learned but the PIO guide are also discussed. There is no fee for the tour.

Crisis Communications and the Media: First Level

BUILDING A PIO TEAM

5.5 Hours

Principles and techniques for planning, preparing and conducting successful team approach to crisis communications. Multi-agency planning is stressed along with considerations such as: location and time of news briefings, joint information centers, audio and video considerations, visual aids, sound systems, strategy, sign-in sheets, and Emergency Public Information Section organization and design.

Format: Lecture, discussion, white board, flip charts, breakout, and terrorism-scenario based tasks, groups report back to class after problem solving breakout

LEGAL ASPECTS

1.5 Hours

A lecture and discussion covering critical areas of concern to PIOs including: 409.5 of the California Penal Code (media access to disaster scenes), liability issues for public officials, 91.137 FAA Flight Rules (air closure over an incident), and other federal and state laws regarding the media and public information.

Format: Lecture, discussion, videotape, handouts

PIO KITS (Concurrent Session)

2.0 Hours

A concurrent session that features a display of items of use in a PIO Kit. Included are: cell

phone, laptop computer, signs, food, white board, portable printer, copier, and other equipment for use by the PIO team in the field.

Format: Two tables, display area near entrance to classroom, person to explain items; PIO Kit equipment

COURSE REVIEW

2.0 Hour

Participants are asked for verbal and written comments and suggestions regarding the program. Suggestions for improvement and compliments are discussed. Objectives are reviewed and future directions discussed. Certificates are presented.

Format: Critique sheets, pencils, certificates.

REFERENCES

Trainer expertise, and individual handouts, plus the reference book, are used as references.

SUPPLIES & EQUIPMENT

Computer/Video projector, 7 flip charts and paper, white board and chart paper pens, screen, slide projector, overhead projector, equipment stand, nine TV sets, 7 camcorders, 7 tripods, 7 blank tapes, numerous recorded tapes with PIO incidents, handout materials, reference books, motel packets, door prizes,.

Crisis Communications and the Media: First Level

TIME PLAN (TYPICAL AGENDA)

Day One

8:00 - 8:30	Registration	Staff
8:30 - 9:30	Course Overview	Staff
9:30-12:00	Meeting the Media's Needs	Staff
12:00 - 1:00	LUNCH	
1:00 - 4:00	Communications Skills	Staff
4:00-6:00	Terrorism and the PIO	Staff

Day Two

8:00-8:15	General Session	Staff
8:00-10:00	Concurrent Session-Displays	Staff
8:15 - 9:50	The Information Process	Staff
10:00-11:00	Team Presentations	Staff
11:10-12:00	Crisis 101	Staff
12:00 - 1:15	LUNCH	
1:15 - 2:15	Interview Techniques	Staff
2:15:4:30	INTERVIEW LAB #1	Interview Team

Day Three

8:00-8:15	General Session	Staff
8:15 - 10:15	INTERVIEW LAB #2	Interview Team
10:15-12:15	INTERVIEW LAB #3	
12:15 - 1:30	LUNCH	
1:30 – 5:00	Independent Study-Field Trip	
7:00pm	Class Dinner-Work Session	McLintock's

Day Four

8:00-8:15	General Session	Staff
8:15 - 10:00	Communicator in Crisis	Staff
10:00-12:00	Building a PIO Team	Staff
	Team Breakouts	Teams
12:00 - 1:00	LUNCH	
1:15-5:00	Team Based Training Breakout	Staff/Teams

Day Five

8:00-8:30	Class Photo	Staff
8:30 – 10:00	Legal Issues	Staff
10:00-12:00	Course Review/Critiques, Graduation	Staff

EVALUATION

Identify the methods to be used to evaluate the course.

Level 1: Evaluation is done via observation of group exercises and discussion with course participants.

Level 2: Structured verbal critique session as part of Course Review and Conclusion.

Level 3: Participants complete a written training evaluation of the course.

DEPLOYMENT / DURATION

This is a practical, hands-on, adult learning-style course. This course requires a "home room" and several breakout rooms or areas.

How to get the most from this course:

Goals Make a goal sheet. Why did you register for this program? What do you expect to gain? Take a moment to think about your goals. Clarify them by writing them down on the inside cover of your notebook. Look over your goal page throughout the course, it will help you keep your goals focused.

Meet Others Meet other people. This is an excellent opportunity to expand your network of contacts. Sit next to someone you don't know, even if you've come with a group. Mingle during the breaks. Exchange business cards. Every participant has a specific area of expertise, find out what it is instead of chatting about the weather. Remember the goal sheet. Why not let one of your goals be to meet at least one person you intend to see again on a business or social basis.

Participate Ask questions, make contributions and actively participate in exercises. Consider the meeting room to be a "mental gymnasium" where it's okay to run, fall and get up again. You'll benefit much more by participating in the game than sitting on the sidelines.

Take Notes Why let even one good idea get away? Taking notes will help concentrate and organize your thoughts. Also, they'll allow you to take a "refresher" any time in the future.

Relate Learning Relate what you learn to yourself. Don't settle for "abstract" knowledge. Have your current problems, conflicts and interests foremost in your mind. As you learn new approaches and techniques, relate them to your own situation.

Main Idea Find the "Big Idea". Try to identify at least one main idea that alone will make this course worthwhile. The idea will be there, it's up to you to find it.

Review Make a commitment to review your notes. Take out your calendar and make a one hour appointment with yourself to "retake" this course. Don't put your good ideas away with your notes. Consider doing it this week while your ideas and enthusiasm are fresh.

Have Fun! Enjoy yourself. Start relaxed and you'll leave refreshed, inspired and recharged. Forget about what's happening at the office — unless you have telepathic powers you can't do much about it anyway. This is your chance. Get all you can out of it and have a good time!

91.137 FEDERAL AVIATION REGULATIONS

(Formerly 91.91 FAR-partial quotations from 1990 FAR Airman's Information Manual, published by ADA, Seattle, Washington)

91.137 Temporary flight restrictions.

(a) The Administrator will issue a Notice to Airmen (NOTAM) designating an area within which temporary flight restrictions apply and specifying the hazard or condition requiring their imposition, whenever he determines it is necessary in order to –

(1) Protect persons and property on the surface or in the air from a hazard associated with an incident on the surface;

(2) Provide a safe environment for the operation of disaster relief aircraft; or

(3) Prevent an unsafe congestion of sightseeing and other aircraft above an incident or event which may generate a high degree of public interest. The Notice to Airmen will specify the hazard or condition that requires the imposition of temporary flight restrictions.

(b) When a NOTAM has been issued under paragraph (a)(1) of this section, no person may operate an aircraft within the designated area unless that aircraft is participating in the hazard relief activities and is being operated under the direction of the official in charge of on scene emergency response activities.

(c) When a NOTAM has been issued under paragraph (a)(2) of this section, no person may operate an aircraft within the designated area unless one of the following conditions are met:

(1) The aircraft is participating in hazard relief activities and is being operated under the direction of the official in charge of the on scene emergency response activities.

(2) The aircraft is carrying law enforcement officials.

(3) The aircraft is operating under the FTC approved FIR flight plan.

(4) The operation is conducted directly to or from an airport within the area or is necessitated by the impracticability of VFR flight above or around the area due to weather, or terrain...

(5) The aircraft is carrying properly accredited news representatives, and prior to entering the area, a flight plan is filed with the appropriate FAA or FTC facility specified in the Notice to Airmen and the operation is conducted above the altitude used by the disaster relief aircraft, unless otherwise authorized by the official in charge of on scene emergency response activities.

2 (d)(4)(e) Flight plans filed and notifications made with an FSS or FTC facility under this section shall include the following information:

(1) Aircraft identification, type and color.

(2) Radio communications frequencies to be used.

(3) Proposed times and entry of, and exit from, the designated area.

(4) Name of news media or organization and purpose of flight.

(5) Any other information requested by FTC.

PENAL CODE §409.5

Rev. MAR 2007

SECTION A

Q. - WHAT CONSTITUTES JUSTIFICATION TO CLOSE AN AREA?

A. - "MENACE TO PUBLIC HEALTH OR SAFETY CREATED BY A CALAMITY" FLOOD - STORM - FIRE - EARTHQUAKE - EXPLOSION - ACCIDENT - OR OTHER DISASTER). OTHER EXAMPLES: BEACH CLOSURE BASED ON SEWAGE SPILL - HAZARDOUS MATERIALS - RIOT OR CIVIL DISTURBANCE

SECTION B

Q. - WHO HAS AUTHORITY TO CLOSE AN AREA?

A. FULL-TIME PEACE OFFICER PERSONNEL NAMED IN P.C. 409.5, AND/OR DESIGNATED AS PEACE OFFICERS IN P.C. 830.2:

Q. DOES A MAYOR, CITY MANAGER, OR FIRE CHIEF HAVE CLOSURE AUTHORITY? LOOK AT GOVT. CODE §8630-34.

Q. - IS THERE MORE THAN ONE TYPE OF AREA THAT CAN BE DESIGNATED FOR CLOSURE?

A. - 1. **DISASTER AREAS** (SECTION A.)
AREA CAN BE BROADLY DEFINED - (the disaster may spread)
INCLUDES ACTUAL DISASTER SITE, AND
THE LOCATION IMMEDIATELY SURROUNDING: STAGING AREAS
Caveat - School Districts have special rules - AG Opn 95-509

2. **COMMAND POST AREAS** (SECTION B.)
CAN CLOSE THE ACTUAL COMMAND POST, INCLUDES AREA IMMEDIATELY SURROUNDING THE COMMAND POST, CAN BE AN EMERGENCY FIELD C.P. (close by), or REGIONAL E.O.C. (at a distance).

3. **VICTIMS' SHELTERS** / **MEDICAL FACILITIES** (NOT IN STATUTE)

Q. - HOW LONG CAN THE AREA BE CLOSED FOR?

A. - MAY CLOSE AREA FOR **DURATION OF EMERGENCY**
EMERGENCY MAY INCLUDE AFTERMATH OF DISASTER (cleanup)

Q. - HOW IS THE CLOSED AREA TO BE IDENTIFIED?

A. - "ROPES, MARKERS OR GUARDS" (BROADLY DEFINED), BUT THE AREA MUST BE **DESIGNATED OR MARKED** (courts give reasonable interpretation)

CALIFORNIA CODES - GOVERNMENT CODE SECTION 8630-8634

8630. **(a)** A local emergency may be proclaimed only by the governing body of a city, county, or city and county, or by an official designated by ordinance adopted by that governing body.

(b) Whenever a local emergency is proclaimed by an official designated by ordinance, the local emergency shall not remain in effect for a period in excess of seven days unless it has been ratified by the governing body.

(c) **(1)** The governing body shall review, at its regularly scheduled meetings until the local emergency is terminated, the need for continuing the local emergency. However, in no event shall a review take place more than 21 days after the previous review.

(2) Notwithstanding paragraph (1), if the governing body meets weekly, it shall review the need for continuing the local emergency at least every 14 days, until the local emergency is terminated.

(d) The governing body shall proclaim the termination of the local emergency at the earliest possible date that conditions warrant.

8631. In periods of local emergency, political subdivisions have full power to provide mutual aid to any affected area in accordance with local ordinances, resolutions, emergency plans, or agreements therefor.

8632. State agencies may provide mutual aid, including personnel, equipment, and other available resources, to assist political subdivisions during a local emergency or in accordance with mutual aid agreements or at the direction of the Governor.

8633. In the absence of a state of war emergency or state of emergency, the cost of extraordinary services incurred by political subdivisions in executing mutual aid agreements shall constitute a legal charge against the state when approved by the Governor in accordance with orders and regulations promulgated as prescribed in Section 8567.

8634. During a local emergency the governing body of a political subdivision, or officials designated thereby, may promulgate orders and regulations necessary to provide for the protection of life and property, including orders or regulations imposing a **curfew** within designated boundaries where necessary to preserve the public order and safety. Such orders and regulations and amendments and rescissions thereof shall be in writing and shall be given widespread publicity and notice. The authorization granted by this chapter to impose a **curfew** shall not be construed as restricting in any manner the existing authority of counties and cities and any city and county to impose pursuant to the police power a **curfew** for any other lawful purpose.

SECTION C.

Q. - WHO IS IN VIOLATION OF BEING IN A CLOSED AREA?

A. - ANY UNAUTHORIZED PERSON WHO WILLFULLY AND KNOWINGLY ENTERS, AND WHO WILLFULLY REMAINS WITHIN THE AREA AFTER RECEIVING NOTICE TO EVACUATE - GUILTY OF MISDEMEANOR.
(elements of offense: entering & remaining after having notice)

Q. - WHAT ACTION CAN BE TAKEN AGAINST VIOLATIONS OF 409.5?

A. - CAN ARREST ANY UNAUTHORIZED PERSON WHO WILLFULLY REMAINS AFTER NOTICE TO LEAVE FOR COMMISSION OF MISDEMEANOR.

SECTION D.

Q. - IS THERE AN EXCEPTION TO §C. FOR "AUTHORIZED PERSONS"

A. - **YES** - A STATUTORY EXEMPTION IS PROVIDED FOR **"DULY AUTHORIZED REPRESENTATIVES" OF NEWS MEDIA.**

"NOTHING IN THIS SECTION SHALL PREVENT AUTHORIZED REPRESENTATIVES OF...."

- NEWS SERVICES
- NEWS PAPERS
- RADIO STATIONS
- TELEVISION STATIONS

"... FROM ENTERING THE AREAS CLOSED"

- freelance journalist working for some **Instant Inter-Net** publication???
- High School News Paper or Year Book???

Q. - WHAT IS "DULY AUTHORIZED"

A. - DULY AUTHORIZED IS NOT GOVERNMENT AUTHORIZED - A.G. OPINES - THIS MEANS AUTHORIZED REPRESENTATIVE OF ANY NEWS AGENCY.

COMMENT - CAN THE MEDIA BE REQUIRED TO CHECK IN? PROBABLY NOT.

Q. - UNDER P.C. 409.5 DOES THE MEDIA HAVE A GREATER RIGHT THAN THE PUBLIC?

A. - JUSTIFICATION TO CLOSE AN AREA TO THE PUBLIC MAY NOT RISE TO A LEVEL SUFFICIENT TO JUSTIFY EXCLUSION OF THE MEDIA.

WHAT DOES THE ATTORNEY GENERAL SAY - A.G.OP 84-802 -
"NEWS MEDIA REPRESENTATIVE MAY NOT BE DENIED ACCESS TO A DISASTER SITE UNDER SECTION 409.5."

COMMENT - DOES THIS GIVE THE NEWS MEDIA A "GREATER RIGHT" THAN THE PUBLIC WHICH THEY SERVE? Yes - Public Policy decision by Legislature.

Q. - WHAT DOES THE COURT SAY ABOUT SECTION D:

LEISERSON v. CITY OF SAN DIEGO (1986) 229 CAL.RPTR. 22-29, - 1978 crash of PSA airliner in downtown San Diego resulted from mid-air collision with private plane. Court of Appeal, Fourth District, upheld trial court ruling that a reporter was properly exclude from the immediate vicinity of an airplane crash because the crash area was being treated as a possible crime scene. At the time of the media exclusion, and the reporter's arrest, police believed the crash may have been result of bomb. The reporter was warned.

The court also referred to sec. 409.5, and stated:

> "[w]e do not believe that in enacting section 409.5(d), the Legislature intended that media access be unrestricted when the presence of reporters or photographers **actually interferes with the work of emergency crews."**

The court continued:

> "... press representatives **must be given unrestricted access to disaster sites unless police personnel at the scene reasonably determine that such unrestricted access will interfere with emergency operations**. If such a determination is made, the restrictions on media access may be imposed for **only so long and only to such an extent as is necessary to prevent actual interference**." pg 29

COMPARE CONTROL OF CRIME SCENE WITH A 409.5 AREA

Q. WHAT IF A DISASTER SITE IS MORE THAN A DISASTER SITE - BUT ALSO A CRIME SCENE?

IF THERE IS AT THE TIME OF THE EMERGENCY, REASONABLE CAUSE TO BELIEVE THE DISASTER SITE IS ALSO A CRIME SCENE, CLOSURE UNDER P.C. 148.2 IS JUSTIFIED, AND THE EXCLUSION OF "UNAUTHORIZED" PERSONS CAN BE EXTENDED TO THE NEWS MEDIA.

Q. WHAT IS LAW ENFORCEMENT'S AUTHORITY TO CONTROL CRIME SCENES & MAKE ARRESTS FOR INTERFERENCE -

Police have a much greater level of authority over a location determined to be a crime scene verses a disaster area. The threshold requirements (elements) to sustain an arrest and prosecution for interference would be more easily proven than under the 409.5 criteria.

Can a Section 148(a) or 148.2 arrest be sustained, under proper circumstances, even in the face of the Sec 409.5 exception? (YES!)

P.C. 148 (a): Every person who willfully resists, delays, or obstructs any public officer, peace officer, or an emergency medical technician in the discharge or attempt to discharge any duty

P.C. 148.2 Every person who willfully commits any of the following acts at a time and place where any fireman or firemen or emergency rescue personnel are discharging or attempting to discharge an official duty, is guilty of a misdemeanor:

1. Resists or interfere with the lawful efforts
2. Disobeys the lawful orders of any public officer
3. Engages in any disorderly conduct which delays or prevents....
4. Forbids or prevents others from assisting

SUMMARY:

1. PRESS REPRESENTATIVES MUST BE GIVEN UNRESTRICTED ACCESS TO DISASTER SITES ABSENT A REASONABLE SHOWING THAT:

- SUCH ACCESS WOULD INTERFERE WITH EMERGENCY CREW'S IN THE PERFORMANCE OF DUTIES, OR

- THE SITE IS THE SCENE OF A CRIME, OR

- THE SITE IS THE CRASH SCENE OF MILITARY AIRCRAFT WHERE CLASSIFIED MATERIAL MAY BE PRESENT. (1983 A.G. OPINION)
(PROBABLY CIVILIAN AIR CRASH SITES - UNDER FAA JURISDICTION)

2. SAFETY HAZARD TO MEMBERS OF THE PRESS DOES NOT JUSTIFY RESTRICTION - MUST BE ABLE TO DEMONSTRATE REASONABLE BELIEF THAT UNRESTRICTED ACCESS "WILL INTERFERE" WITH EMERGENCY OPERATIONS

3. IF ACCESS IS RESTRICTED THEN POLICE HAVE THREE OBLIGATIONS:

- RESTRICTION CAN LAST ONLY SO LONG AS THERE WOULD BE INTERFERENCE BY MEDIA WITH EMERGENCY OPERATIONS **(ACCOMMODATION)**

- MUST PROVIDE "PRESS-AREA" AT EDGE OF SITE TO GIVE "MAXIMUM" ACCESS POSSIBLE UNDER THE CIRCUMSTANCES - **(ACCOMMODATION)**

- MAY PROVIDE UNRESTRICTED "POOL" ACCESS TO LIMITED NUMBER OF PRESS - **(ACCOMMODATION)**

4. NONE OF ABOVE PRECLUDES OFFICERS FROM RECOMMENDING TO PRESS PERSONNEL THAT THEY NOT ENTER THE DISASTER SITE. ASSUMPTION OF THE RISK? DUTY TO WARN OF KNOWN DANGERS?

5. WHAT ABOUT ENTRY ON TO PRIVATE PROPERTY?

REMEMBER - THE PRESS HAS NO GREATER RIGHTS THAN OTHER MEMBERS OF THE PUBLIC REGARDING ENTRY ON PRIVATE PROPERTY. (A DISASTER ON PRIVATE PROPERTY DOES NOT CONVERT IT TO PUBLIC PROPERTY)

LIABILITY ISSUES BETWEEN PUBLIC SAFETY & THE MEDIA

Generally, law enforcement officers and their employing agencies are not liable for damages caused to another by a failure to act. However, there are two significant exceptions: (1) the "special relationship" exception, and (2) the "increased danger" exception. Failure to train officers on their duty under these two exceptions could lead to liability under California Tort Law, and federal civil rights claims.

PROBLEM #1 - "FORMING A SPECIAL RELATIONSHIP"

1. When can police be liable for injuries they fail to prevent?

"Special Relationships" cases often involve prisoners and others in official custody who allege inadequate or improper protection or treatment. A person in the state's custody is not longer free to take steps to care for himself, and the state must exercise due care for the prisoners safety. Even in non-custodial circumstances, officers can create a special relationship, for example, by lulling a crime victim into a false sense of security, failing to warn a witness of danger, or taking precautions to protect some one who is in their care.

PROBLEM #2 - "KNOWLEDGE OF INCREASED DANGER"

2. When can police be liable for injuries from a failure to disclose?

"Increased Danger" cases usually involve affirmative conduct by officers toward someone who is not taken into custody, but is left to face an increased risk of harm because of police intervention. These types of cases focus on whether the officers left the person in a situation that was more dangerous than the one in which they found him. Examples: Liability where officers removed a disorderly drunken bar patron, then allowed him to wander off into a 20 degree night, where he was later found frozen to death. Liability where police arrested drunk driver, impounded his car, and left female passenger alone at night in a high-crime area, where she was kidnaped and raped.

IMPLICATIONS FOR LAW ENFORCEMENT'S RELATIONSHIP WITH MEDIA

Even though members of the media may have an exemption under P.C. 409.5 to enter a disaster area, failure to warn under circumstances where authorities have established a “special relationship” (press passes and media escort), or where authorities have a “special knowledge of increased danger” and have not disclosed, may constituted liability.

COURT DECISIONS LIMITING REALITY TV COVERAGE:

(Issue - Does the injured party have an EXPECTATION OF PRIVACY)

Shulman v. Group W Productions, Inc. 18 Cal 4th 200

A mother and son, were injured when their car flew off a highway and crashed down an embankment into a drainage ditch. Both had to be released by the "jaws of life." A rescue helicopter airlifted them to the hospital, and a flight nurse provided medical care both at the scene and in the air. A video camera operator was with the helicopter crew and took video pictures of these persons at the accident scene and in the helicopter. The flight nurse wore a wireless microphone and recorded all communications between herself and the vitims. Victims were not aware of, and did not consent to, the photography and taping. The accident was later broadcast as a segment of "On Scene: Emergency Response." Victims were shocked and embarrassed by the broadcast and sued the producers, Group W Productions, asserting various claims including intrusion and public disclosure of private facts. **The *Cal. Supreme Court* found that accident victims videotaped without their knowledge or consent for purposes of a documentary television program had triable claims for intrusion into the realm of personal privacy.**

The *Cal. Supreme Court* held. With respect to the claim of publication of private facts, the critical issue was newsworthiness. If there was a legitimate public interest in the broadcast the claims would be barred due to First Amendment concerns. Here, although mother and son were non-public figures, they became involved in an event of legitimate public concern. Automobile accidents and related rescue and treatment are newsworthy, due to the public's interest in road conditions and in emergency services other individuals may later need. Further, the challenges faced by emergency personnel are also newsworthy. The mother contended that it was not "necessary" to show her pain and the details of her medical condition. However, necessity is not the standard. As to the intrusion claim, accident victims have no expectation of having members of the public, such as the camera operator, excluded from the accident scene. However, the cameraman’s presence in the helicopter and later in the emergency room raised a triable issue regarding the level of privacy expected in those places. Further, while the

camera operator's mere presence may not have been an intrusion, the act of placing a microphone on the flight nurse may have led to the broadcast of conversations reasonably expected to remain private.

Simtel Comm v. NBC 84 Cal.Rptr.2d 329 (Court of Appeal, 2nd Dist) April 1999 - Dateline NBC investigation - reporters made secret videotape of a sales promotion meeting for investors in "800 phone-lines" for tele-marketing. Statements made by company representatives about the intelligence of potential patrons were not complimentary. Portions of video tape were used in a subsequent TV broadcast - claims of unlawful intrusion and recording of confidential communications. Appellate Court found - No reasonable expectation of privacy in open sales meeting.

Sanders v. ABC 85 Cal.Rptr.2d 909 (California Supreme Court) June 1999 - ABC investigative reporters obtained employment with tele-psychic-marketing company, then covertly videotaped workplace conversations of other employees regarding their employment. Claims of unlawful intrusion and recording of confidential communications. Supreme Court found an invasion of privacy when clandestine photography of a person in a workplace not open to the public is secretly taken without consent.

Marich v. QRZ Media Inc. 86 Cal.Rptr.2d 406 (Court of Appeal, 2d Dist.) July 1999 - Television crew for TV show "LAPD: Life on the Beat" covered discovery of young person who died of illegal drug overdose and recorded the subsequent police phone call to parents re: overdose death notification. Court found intrusion; both a violation of PC 632 - illegal phone recording and a highly offensive violation of an expectation of privacy.

Wilson v. Layne 526 U.S. 603 (Supreme Court of United States) May 1999 - US Marshals conducted arrest warrant service into a house looking for a felony suspect accompanied by media ride-along video crew. Warrant made no mention of media presence. Court found that the unauthorized presence of the news media, in a home being searched under an otherwise valid warrant, is a violation of the protections of the 4th Amendment (which includes an expectation of privacy in one's home).

VIDEO CAMERA COVERAGE OF SUPER BOWL CROWD?

EXPECTATION OF PRIVACY IN A PUBLIC PLACE - VIDEO PHONES?

PENAL CODE SECTION 409.5

(a) Whenever a menace to the public health or safety is created by a calamity including a flood, storm, fire, earthquake, explosion, accident, or other disaster, officers of the Department of the California Highway Patrol, police departments, marshal's office or sheriff's office, any officer or employee of the Department of Forestry and Fire Protection designated a peace officer by subdivision (g) of Section 830.2, any officer or employee of the Department of Parks and Recreation designated a peace officer by subdivision (f) of Section 830.2, any officer or employee of the Department of Fish and Game designated a peace officer under subdivision (e) of Section 830.2, and any publicly employed full-time lifeguard or publicly employed full-time marine safety officer while acting in a supervisory position in the performance of his or her official duties, may close the area where the menace exists for the duration thereof by means of ropes, markers, or guards to any and all persons not authorized by the lifeguard or officer to enter or remain within the enclosed area. If the calamity creates an immediate menace to the public health, the local health officer may close the area where the menace exists pursuant to the conditions set forth in this section.

(b) Officers of the Department of the California Highway Patrol, police departments, marshal's office or sheriff's office, officers of the Department of Fish and Game designated as peace officers by subdivision (e) of Section 830.2, or officers of the Department of Forestry and Fire Protection designated as peace officers by subdivision (g) of Section 830.2 may close the immediate area surrounding any emergency field command post or any

other command post activated for the purpose of abating any calamity enumerated in this section or any riot or other civil disturbance to any and all unauthorized persons pursuant to the conditions set forth in this section whether or not the field command post or other command post is located near to the actual calamity or riot or other civil disturbance.

(c) Any unauthorized person who willfully and knowingly enters an area closed pursuant to subdivision (a) or (b) and who willfully remains within the area after receiving notice to evacuate or leave shall be guilty of a misdemeanor.

(d) Nothing in this section shall prevent a duly authorized representative of any news service, newspaper, or radio or television station or network from entering the areas closed pursuant to this section.

STATUTORY AUTHORITY FOR EMERGENCIES:

PENAL CODE SECTION 409.5

DESIGNATION AND CONTROL OF DISASTER AREA.

GOVERNMENT CODE SECTION 8550-8668

EMERGENCY SERVICES ACT - STATE AND LOCAL AUTHORITY TO DESIGNATE AND CONTROL EMERGENCY AREAS.

HEALTH & SAFETY CODE SEC. 12025-120150

AUTHORITY TO QUARANTINE AND CONTROL PERSONS, ANIMALS, PROPERTY, PLACES, CITIES, OR LOCALITIES.

MILITARY & VETERANS CODE SECTION 140-148

GOVERNOR'S AUTHORITY TO DECLARE MARTIAL LAW, AND CALL INTO SERVICE ANY PORTION OF THE ACTIVE OR THE UNORGANIZED MILITIA.

Emergency Services Act, Gov. Code §8550- 8668;

The California Emergency Services Act (Gov. Code, 8550 et seq.) confers upon the Governor and the governing bodies of cities and counties the power to declare a state of emergency "in conditions of disaster or ... extreme peril" and confers broad powers on the Governor to deal with such emergencies. (Gov. Code, 8550.)

Authority of the Governor:

During a state of emergency, for example, the Governor may suspend any regulatory statute or the orders, rules or regulations of any state agency if these would "prevent, hinder, or delay the mitigation of the effects of the emergency." (Gov. Code, 8571.)

The Legislature has provided an illuminating example of the language it uses when it grants an exemption from compliance with state law. Government Code section 8571 prescribes the powers of the Governor during a state of emergency or state of war emergency (**Martial Law -** Gov. Code , 8558, subds. (a), (b)) as follows:

> "During a state of war emergency or a state of emergency the Governor may suspend any regulatory statute, or statute prescribing the procedure for conduct of state business . . . where the Governor determines and declares that strict compliance with any statute . . . would in any way prevent, hinder, or delay the mitigation of the effects of the emergency."

The Governor may commandeer or utilize any private property or personnel deemed to be necessary to carry out his responsibilities (Gov. Code, 8572), and is empowered to make expenditures from any fund "legally available ... to deal with actual or threatened conditions of [the emergency]." (Gov. Code, 8645.)

One of the primary purposes of the act is to ensure that "all emergency services functions" of the State and local governments, the federal government, and "private agencies of every type," "be coordinated ... to the end that the most effective use be made of all manpower, resources, and facilities for dealing with any emergency that may occur." (Gov. Code, §8550.) To further that end, the Governor is charged with the responsibility to coordinate the emergency plans and programs of all local agencies, "such plans and programs to be integrated into and coordinated with the State Emergency Plan and the plans and programs of the federal government and of other states to the fullest possible extent." (Gov. Code, §8569.)

Macias v. State of California (1995) 10 Cal.4th 844 [42 Cal.Rptr.2d 592]

Thus, the Emergency Services Act makes clear that in situations of "extreme peril" to the public welfare the State may exercise its sovereign authority to the fullest extent possible consistent with individual rights and liberties. The act recognizes and responds to a fundamental role of government to provide broad state services in the event of emergencies resulting from conditions of disaster or of extreme peril to life, property, and the resources of the state. Its purpose is to protect and preserve health, safety, life, and property. The act makes equally evident the overriding necessity of a broadly coordinated effort to deal with emergencies, and places the primary responsibility, and the means for carrying out such efforts, with the State.

Authority of Local Government:

Under the California Emergency Services Act (Gov. Code, §8550- 8668; "Act"), a local emergency may be proclaimed by the governing body of a county or city or by an official so designated by ordinance (Gov. Code , 8630.). In periods of local emergency, political subdivisions have full power to provide mutual aid to any affected area in accordance with local ordinances, resolutions, emergency plans, or agreements (G. C.§ 8631.).

The term "local emergency" is defined in the Act as follows:

> "`Local emergency' means the duly proclaimed existence of conditions of disaster or of extreme peril to the safety of persons and property within the territorial limits of a county . . . caused by such conditions as fire, flood, storm, epidemic, riot, drought, sudden or sever energy shortage, plant or animal infestation or disease, ...an earthquake. . . or other conditions . . .likely to be beyond the control of the services, personnel, equipment, and facilities of that political subdivision and require the combined forces of other political subdivisions to combat" (Gov. Code, 8558, subd. (c).)

Curfew:

During a local emergency, the governing body of a political subdivision "may promulgate orders and regulations necessary to provide for the protection of life and property, including orders or regulations imposing a curfew where necessary to preserve the public order and safety...." (Gov. Code, 8634.)

Quarantine:

In addition, for the purpose of exercising its power to preserve and protect the public health and safety, each county governing board is required to appoint a health officer, who "may take any preventive measure which may be necessary to protect and preserve the public health from any public health hazard during any . . . `local emergency,' as defined by Section 8558 of the Government Code, within his jurisdiction" .

Health & Safety Code Section 3110 also provides:

> "Each health officer knowing or having reason to believe that any case of the diseases made reportable by regulation of the State Department of Health Services, or any other contagious, infectious or communicable disease exists, or has recently existed, within the territory under his jurisdiction, shall take such measures as may be necessary to prevent the spread of the disease or occurrence of additional cases."

The purpose of a declaration of local emergency is thus to provide for the rendering of mutual aid by the state government and all its departments and agencies and by the political subdivisions of the state in carrying out the purposes of the Act. (Gov. Code, 8550.)

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RESOURCE STATUTORY LAWS - www.leginfo.ca.gov/calaw

California Specialized Training Institute
"Crisis Communications and the Media: Level One"
San Diego County, June 25-29, 2007

On-Camera Interview Lab Sessions Schedule

Lab Session #1: Tuesday, 6/26/07, 1:00 pm-3:00pm

Team	**Room**	**Trainer**
Red	EOC East	Ms. Fernandez
Green	Library Rm. 105	Mr. Rossie
Blue	Media Conf. Rm. 104	Ms. Boyer
Orange	EOC West	Mr. Saunders
Purple	Policy Grp. Rm.	Ms. Ivy
Brown	JIC	Ms. Kemp

Lab Session #2: Tuesday, 6/26/07, 3:15 pm-5:00pm

Team	**Room**	**Trainer**
Brown	EOC East	Ms. Fernandez
Red	Library Rm. 105	Mr. Rossie
Green	Media Conf. Rm. 104	Ms. Boyer
Blue	EOC West	Mr. Saunders
Orange	Policy Grp. Rm.	Ms. Ivy
Purple	JIC	Ms. Kemp

Lab Session #3: Wednesday, 6/27/07, 8:00 pm-10:00pm

Team	**Room**	**Trainer**
Purple	EOC East	Ms. Fernandez
Brown	Library Rm. 105	Mr. Rossie
Red	Media Conf. Rm. 104	Ms. Boyer
Green	EOC West	Mr. Saunders
Blue	Policy Grp. Rm.	Ms. Ivy
Orange	JIC	Ms. Kemp

California Specialized Training Institute



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Emergency Management

"Crisis Communications and the Media"
Level One

CALIFORNIA SPECIALIZED TRAINING INSTITUTE
P.O. BOX 8123
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TEAM EXERCISE - PIO Team Development
Instructions for the Lead PIO

Read *all* of the task instructions first. Be sure you have chart paper and marking pens.

You cannot make up any information! It must **all** come from "the one stop info source." Be prepared for "reporters" who will be coming around wanting to KNOW WHAT IS GOING ON! Have someone on your team designated to conduct media interviews.

Based on the scenario, here are your team's tasks:

1. Prepare an organization chart showing the branches and units you would staff FOR THE EMERGENCY PUBLIC INFORMATION FUNCTION ONLY. Determine who on your team will fill the positions and place their names on the chart. You are limited to those on hand. Make it large enough to be seen from the back of the meeting room.

2. Draw a map of the incident – big enough to be seen from the back of the room.

3. Decide upon and mark the locations in the area at which you would place any EPI functions (rumor control, Info Center, field teams, etc)

4. Design your "Joint" Information Center facility. Draw a diagram. List required equipment. *Be sure to make it large enough for the entire class to see. Show us its location (use your map).

5. Prepare an initial "bullet" point news release, using the scenario and any other information your Gathering Branch can gather from whatever sources it can. Use 81/2X11 paper.

6. Prepare a list of at least five expected questions from reporters for those appearing at any initial News Briefing. Use 8/12X11 paper.

Using chart paper with letters big enough to be seen from the back of the room, be prepared for a FOUR MINUTE presentation on two or three of your tasks (to be assigned by the instructor). The presentation is to be given by you, another team member or variation thereof. Pick your best public speaker(s). If you need more information about what to do see Jude . *When you are about ready to make your presentation and have finished your tasks, notify Rob.

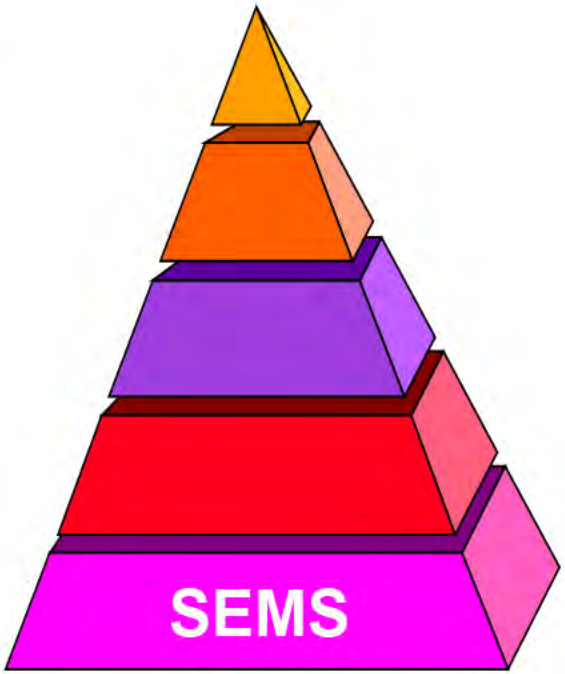
Remember: Leadership, Teamwork, and Communication

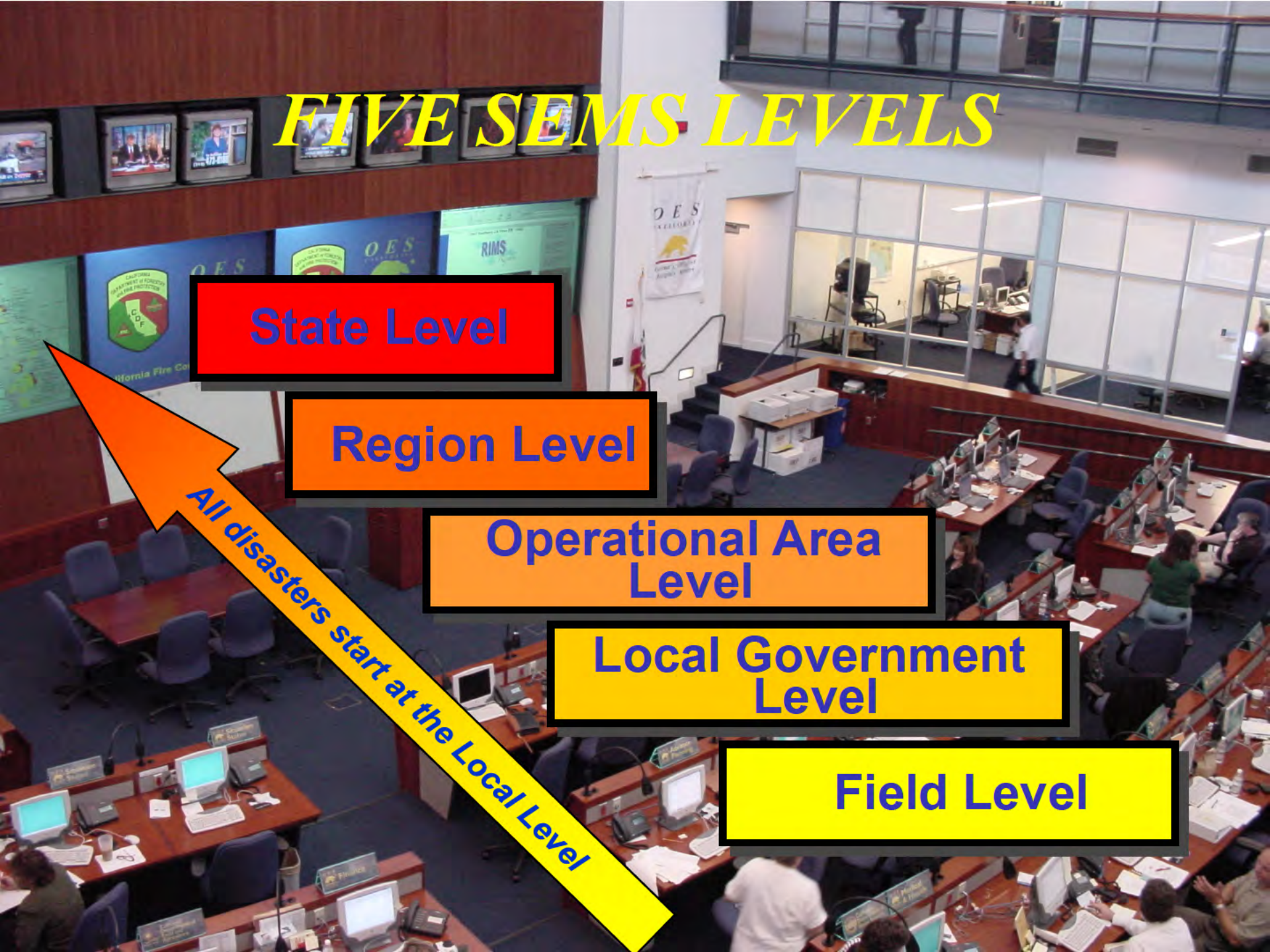


National Incident Management System (NIMS)
Standardized Emergency Management System (SEMS)

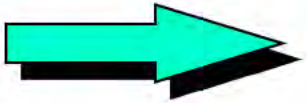
COMPONENTS OF SEMS

- Incident Command System (ICS)
- Inter-Agency Coordination
- State's Master Mutual Aid Agreement
- Operational Area Structure

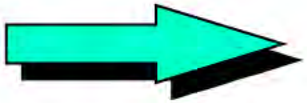



FIVE SEMS LEVELS
State Level
Region Level
Operational Area Level
Local Government Level
Field Level
All disasters start at the Local Level

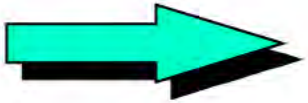
FIVE SEMS FUNCTIONS IN THE EOC



Management



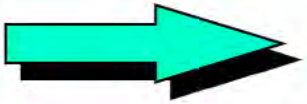
Operations



Planning/Intelligence



Logistics



Finance/Administration

NIMS Major Components

- **Command & Management**
- **Preparedness**
- **Resource Management**
- **Communications & Info. Management**
- **Supporting Technologies**

Command & Management

- Incident Command System



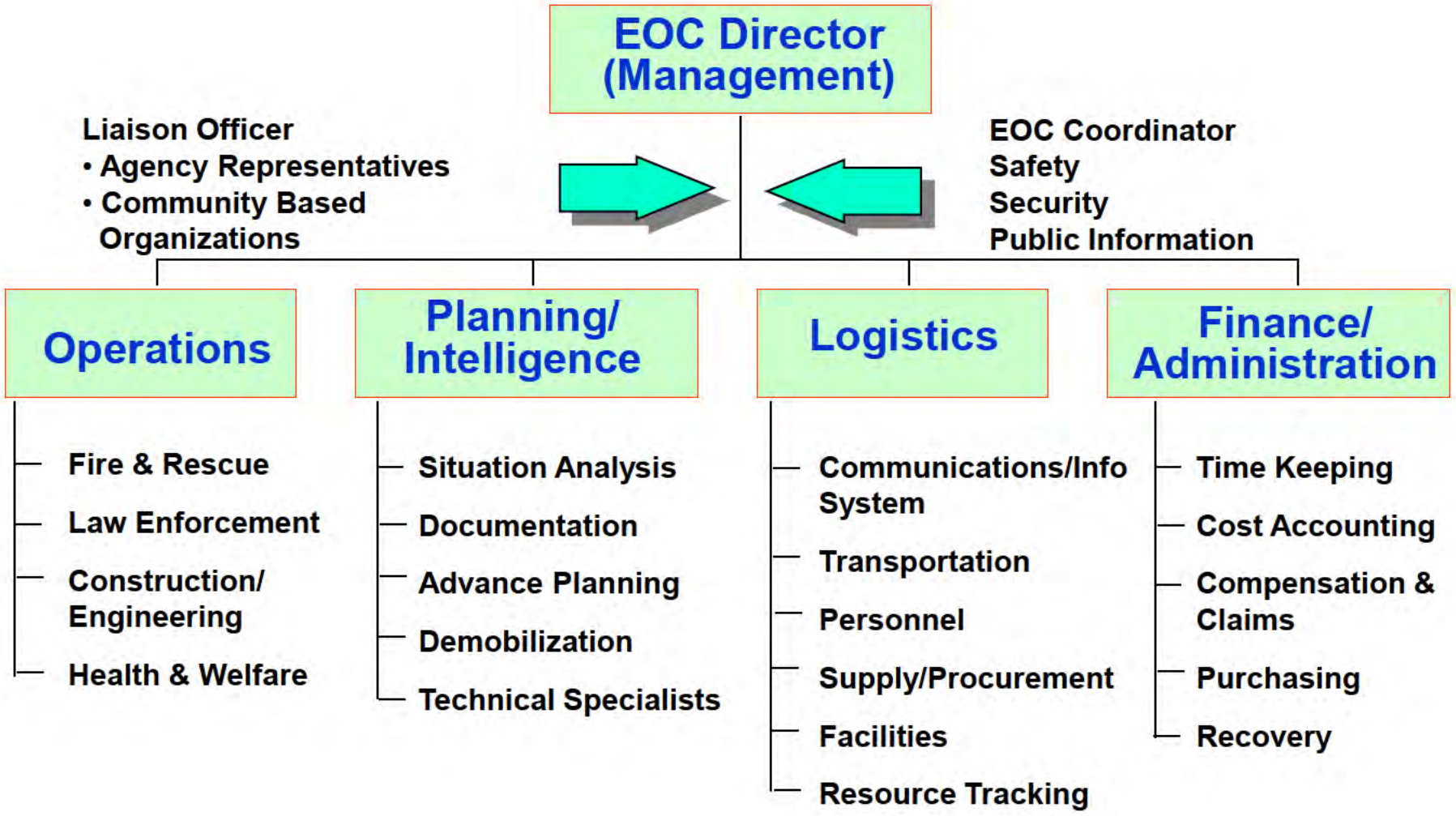


- Joint Information System

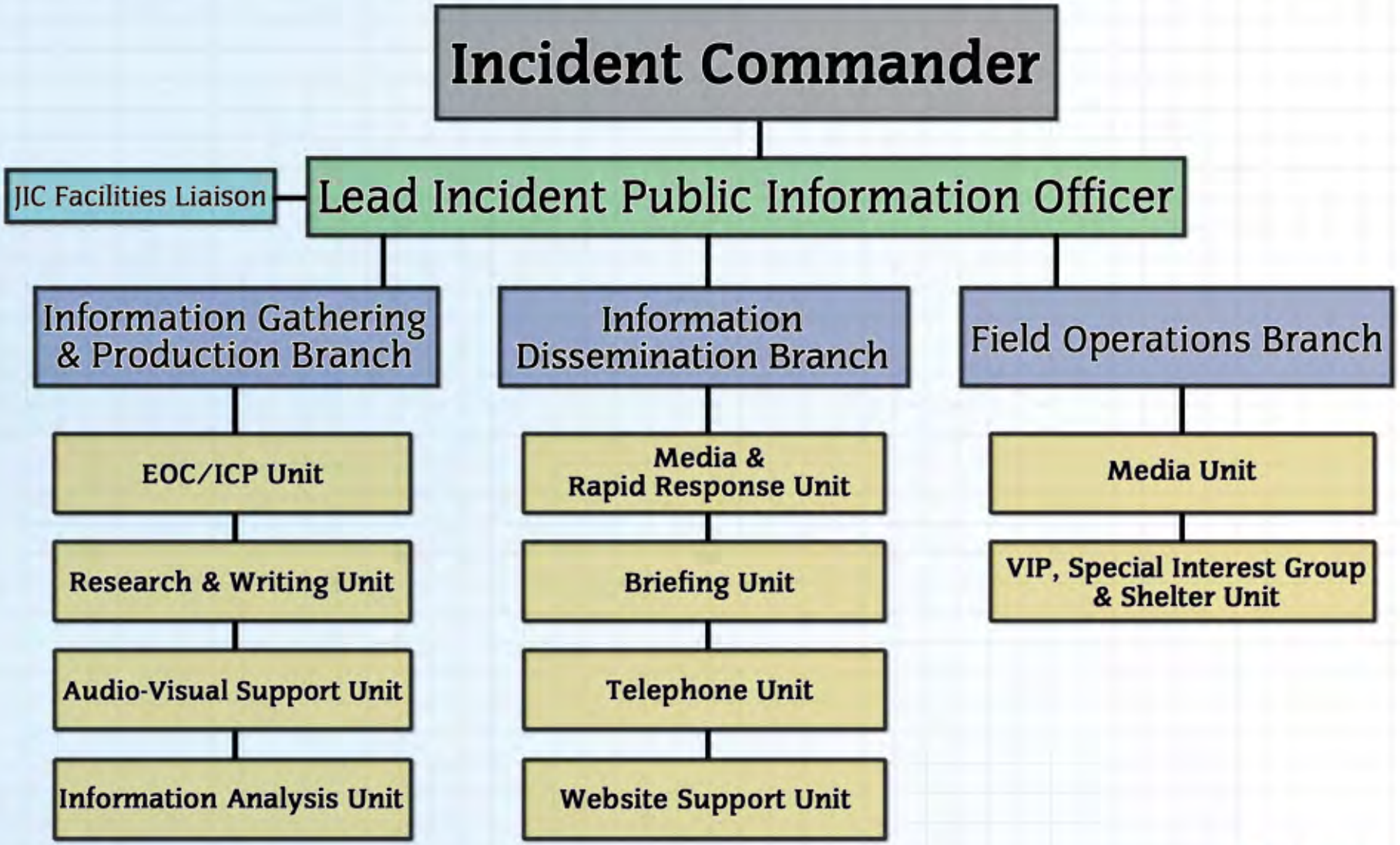


Information Officer

SMALL LOCAL GOVERNMENT EOC ORGANIZATION:

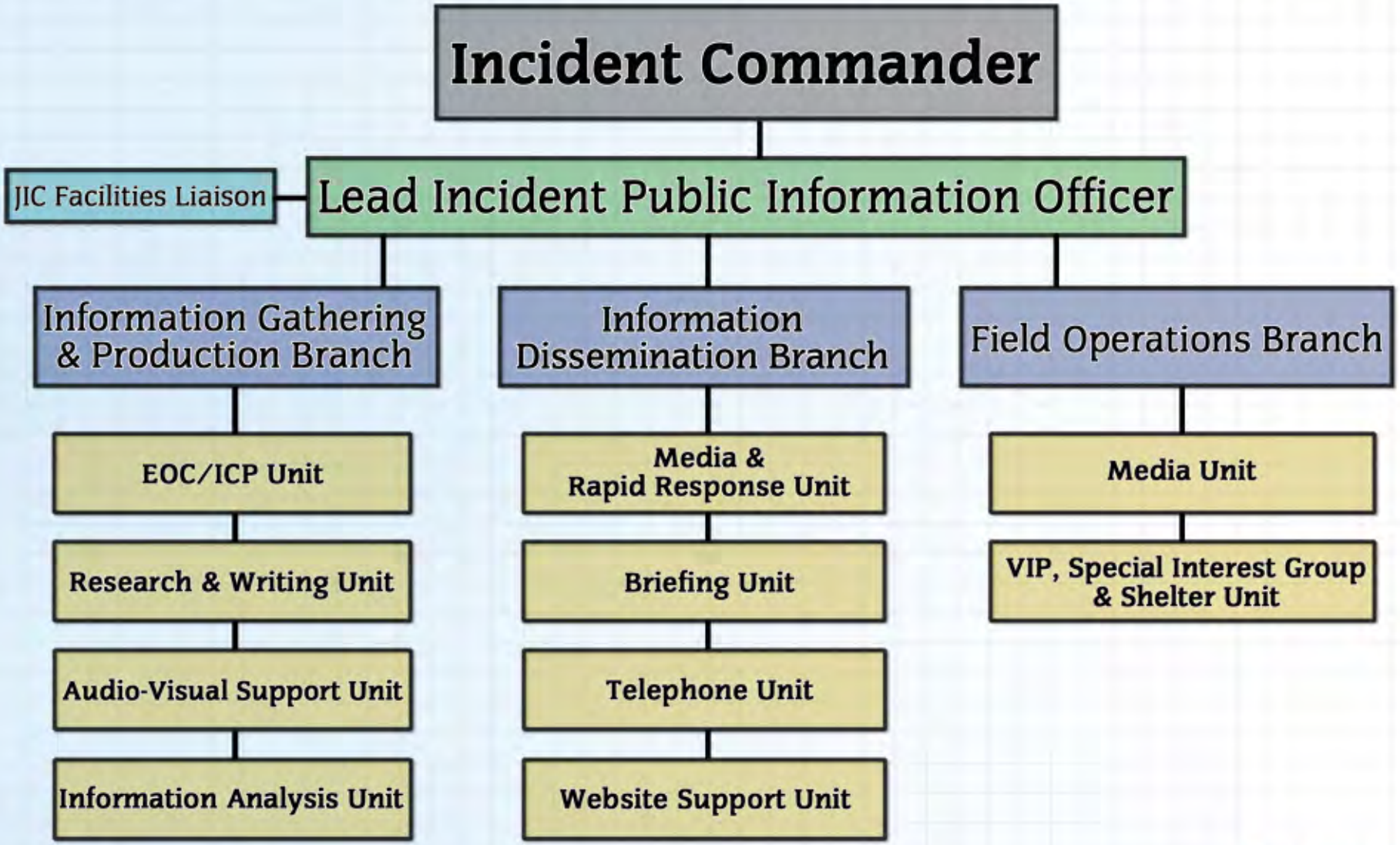


JIC Organization and Functions



ARGONNE NATIONAL LABORATORY

JIC Organization and Functions



ARGONNE NATIONAL LABORATORY

Emergency Public Information

Glossary of Terms

JOURNALIST ACCESS TO PLACES

Updated May 2004

The raw material of reporting is information, and reporters obtain information by gaining access to records, meetings and places. For access to *private* records, meetings and places, the reporter is dependent on good relationships with willing sources. For access to *public* records, meetings and places, the reporter may be able to use the law to gain access even when sources are unwilling.

Legislation reinforces the public's (and therefore the journalist's) right of access to public records and public meetings. The law involving access to places is much less clear.

A. PRIVATE PLACES, BY CONTRAST

This is not to say that there are no problems inherent in reporters' attempts to gain access to private places. The television cameraman who walks into a business office with "cameras rolling" in an attempt to confront the unwilling subject of an investigative piece, the restaurant reviewer who makes an unannounced, uninvited visit to a restaurant and the sports writer who takes a seat in the press box in the private college's football stadium are all on private property. All can be asked to leave, and failure to do so could result in a suit for trespass or for invasion of privacy. (*See discussion of "intrusion on physical solitude" in chapter 13)*.

Reporters sometimes erroneously assume that if a private place is "open to the public," they automatically have a "right" to enter. That is not necessarily so. Just because a business is open to non-disruptive customers coming to avail themselves of the business's services does not mean the business has to tolerate reporters coming in to do interviews or to take pictures. The First Amendment gives journalists no special privilege to trespass on others' private property in the course of newsgathering.

Sometimes reporters erroneously believe that by buying something from the business they are converted into "paying

customers" who therefore have the right to stay. That is not necessarily so either. Just because you pay for a hotel room for the night does not give you a right to set up television cameras to stage interviews in the lobby. You have bought only the right to use the hotel room you paid for in a non-disruptive way.

The best advice to reporters is probably common sense: Go in, do your business in the least disruptive way possible and leave. If you go in trying to stage an interview with an unwilling source, and no one tells you to get out, you can probably stay on the principle of "tacit consent" (by not objecting, the person in charge has indicated a willingness to let you stay). But the moment that you are told to leave, be aware that you run a risk of being sued if you stay. Staying may be worth that risk, but you should be clear you know your employer's policy on this, and you should be sure you know the recommendation of your employer's attorney.

Note later in this chapter that your right of access to private places may be different if the private place is temporarily under control of the government -- for example, a fire scene or the scene of a police investigation.

While owners of private property can "discriminate" against journalists, they can encounter legal problems if they discriminate on the basis of race, color, creed, sex, age, or by some other suspect means.

In *Dietemann v. Time, Inc.,*[i] the plaintiff, who was not a doctor, was dispensing medical advice illegally as a “healer.” A reporter and a photographer for *Life* magazine came to his house and led the plaintiff to believe that they were a married couple seeking medical attention for the woman. Using a hidden camera, they photographed the plaintiff in the den of his home. Despite is pleading no contest to the charges against him, and despite the newsworthiness of the *Life* article titled “Crackdown on Quackery,” a federal district court awarded the plaintiff $1,000 for invasion of his privacy, and the judgment was affirmed by a federal appeals court. The case illustrates the fact that just because a story is newsworthy, the First Amendment provides no protection for entering private property illegally.

In *Le Mistral, Inc., v. CBS,*[ii] a New York City restaurant sued because a WCBS-TV crew had entered the restaurant with cameras rolling as a follow-up to an official report of health code violations. Again, the story was newsworthy, but the restaurant pursued its case because the crew did not have permission to enter the restaurant. The case was ultimately settled out of court with terms of the settlement not disclosed.

B. ACCESS TO PUBLIC PLACES, IN GENERAL

You have a greater right of access to public places than to private places. However, the fact that you are a journalist or a taxpayer does *not* give you the right to disrupt the activities of the public place. Within reason, the government has a right to define the uses of its own property, and that may *not* necessarily include your conducting interviews or taking pictures in that particular place at that particular time.

A government employee's prohibition against your entrance to property, of course, should not be based on race, color, creed, or other categories mentioned above.

People sometimes erroneously assume that the First Amendment protects a wide-range of newsgathering activities and thus gives journalists special privileges to go where they want to do their work. In general, the U.S. Supreme Court has traditionally held that the First Amendment protects the right of the journalist to *disseminate* (print, broadcast, cablecast, etc.) what he already knows -- not the right to get more information. In 1980, in *Richmond Newspapers v. Virginia*,[iii] a plurality of the Supreme Court, in an opinion written by Chief Justice Burger, said that,

> *The right of access to places traditionally open to the public, as criminal trials have long been, may be seen as assured by the amalgam of the First Amendment guarantees of speech and press We hold that the right to attend criminal trials is implicit in the guarantees of the First Amendment*

While one must be cautious in predicting wholesale extensions of a First Amendment right to gather news, there are certainly implications for a right to gather in places that have been "traditionally open to the public" other than courtrooms.

C. ACCESS TO "SPECIAL" PLACES

For discussion of the special problems of access to public meetings, see chapters 16 and 17. For discussion of the special problems of access to courtrooms, see chapter 9.

D. CASE LAW

Although the unsettled nature of the area makes it difficult to predict what will happen in future cases, some examples of past cases may be useful.

1. Access to Jails and Prisons. A 1974 U.S. Supreme Court case, *Pell v. Procunier*,[iv] upheld a California prison's regulation prohibiting news media interviews with individual prison inmates, because there the press has no constitutional right of access to prisons beyond that which other members of the public have. A 1978 U.S. Supreme Court case, *Houchins v. KQED*,[v] upheld a sheriff's denial of access to a jail for purpose of interviewing inmates and making sound recordings, films and photographs.

2. Access to Executions. In *Kearns-Tribune v. Utah Board of Corrections*,[vi] a federal district court upheld a Utah statute barring journalists (and the public in general) from attending executions.

3. Access to Legislative Floor. In *Kovach v. Maddux*,[vii] a federal district court held that the Tennessee Senate's exclusion of reporters from a particular newspaper from the senate floor and adjacent press section violated the First Amendment, because the senate's action went beyond any reasonable measure necessary to preserve the senate's dignity and decorum.

4. Access to the White House. In *Sherrill v. Knight*,[viii] a federal appellate court held in favor of the Secret Service, which had refused to approve a White House press pass for a journalist alleged to pose a possible security risk.

5. Access to Locker Rooms. In *Ludtke v. Kuhn*,[ix] a federal district court held in favor of a female sports reporter seeking access to a municipally-owned locker room on the ground that the males-only policy was a violation of the equal protection clause of the Fourteenth Amendment.

6. Access to Scenes of Crisis. Police and fire officials frequently permit journalists to accompany them on so-called “ride-alongs” into areas where there are fires or police activities. This *privilege* extended to journalists can apparently be revoked by the officials, so long as the officials do not do so on the basis of some illegal discrimination. Obviously reporters and cameramen are well advised to avoid creating any disturbance or interference with the fire or police work. The fact that journalists are given ride-along privileges by public officials does *not* necessarily immunize the

journalists from liability for trespass or invasion of privacy actions—particularly if the plaintiff has been misled into believing that the journalist is present in a non-journalistic/official capacity. Examples may be useful:

In *Shulman v. Group W Productions*[x](not a New York case), members of a family were injured in an automobile accident. Television personnel had ridden along with rescue workers in a helicopter and taped both the rescue and the care Ruth Shulman and her brother received during the helicopter ride back to the hospital. The California Supreme Court decided for the plaintiffs on the issue of allowing a jury to determine if the defendants had intruded into a situation in which the plaintiffs had a reasonable expectation of privacy but decided for the defendants on the issue of the legitimacy of the public concern in broadcasting the plaintiffs' words and images.

In *Florida Publishing v. Fletcher*,[xi]a state Supreme Court held in favor of news media's entry into a burned-out private home—saying that accompanying police and fire officials was common practice and did not constitute unlawful trespass. Note that the homeowner was not on the scene and obviously therefore had not protested the journalists' entrance; the outcome of the case could be quite different if the property owner voiced an objection to allowing a journalist in or if the property owner had been deceived.

In *Wilson v. Layne,[xii]* police in Montgomery County, Md., conducted a 1992 raid to arrest a fugitive named Dominic Wilson. They took with them a *Washington Post* reporter and photographer. The residence they raided was that of Dominic Wilson's parents, who were still sleeping when deputy federal marshals broke into the residence at 6:45 a.m. Mr. Wilson ran into the living room wearing only briefs and was wrestled to the floor by officers. His wife came out of the bedroom in a nightgown. The photographer took pictures, but they were not used. The Wilsons sued law enforcement officers – not the newspaper – on the theory that the officers had violated their Fourth Amendment right to be secure in their home against unreasonable searches. Chief Justice Rehnquist, writing for the Supreme Court, said that, "it is a violation of the Fourth amendment for police to bring members of the media or other third parties into a home during the execution of a warrant when the presence of the third parties in the home was not in aid of the execution

of the warrant." (However, the majority went on to hold that the police officers could not have known in 1992 that it was unlawful to bring the journalists in, so summary judgment for the defendant law officers was upheld). The Court's decision in the *Wilson* case makes it less likely that law enforcement officers will bring media into homes with them in the future.

Somewhat similar issues were presented in another Supreme Court case, *Berger v. Hanlon*,[xiii] involving CNN's accompanying of federal agents searching a Montana ranch.

7. Access to Hospitals. The general public is generally restricted in its access to hospital patients, and so journalists can be similarly restricted. Sometimes, in doing stories about poor conditions or patient abuse, journalists may be tempted to gain access without permission. In one such New York case, *Quinn v. Johnson*,[xiv] a reporter and cameraman from WABC-TV in New York City walked into a hospital and interviewed juvenile patients. The case was an attempt to obtain a prior restraint that would have prevented the station from showing the tape. The court refused to restrain the showing, following a long line of Supreme Court precedents[xv] against prior restraints. The court said that the "heavy burden of proof" required for a prior restraint was not met. However, the decision by the court on the question before it about the prior restraint does *not* speak to the issue of whether the journalists were trespassing or invading the privacy of the patients. (See chapter 13.)

8. Access to Stores. Members of the public (including journalists) normally have access to stores, but that doesn't give either journalists or other members of the public a right to operate cameras or otherwise create disturbances in the store. For its story on supposedly unsanitary practices in Food Lion Grocery stores, ABC's PrimeTime Live news magazine program placed journalists inside stores by having them seek employment with the stores. The jury verdict in *Food Lion, Inc. v. Capital Cities/ABC*[xvi] received national news coverage. The program used videotape from hidden cameras inside a Food Lion grocery store. The journalists had presented false names, addresses, credentials and references on their Food Lion job applications. A North Carolina jury agreed with Food Lion, saying ABC went too far and awarded more than $5,500,000 in damages, mostly punitive, which were later reduced to $315,000,[xvii] Note that the food chain, instead of suing for libel, sued for trespass, common law fraud, and the false pretenses used by Capital Cities/ABC in getting its employees into the Food Lion store.

9. Access to Military Installations. In *JB Pictures, Inc. v. Department of Defense*,[xviii] a United States Court of Appeals held a photography crew had no right of access to the site at Dover Air Force Base where American service personnel killed in the Gulf War were received in the U.S.

[i]*Dietemann v. Time, Inc.*, 449 F.2d 245 (9th Cir. 1971).
[ii]*Le Mistral, Inc. v. CBS*, 3 Med.L.Rptr. 1913, 402 N.Y.S. 815 (N.Y. 1978).
[iii]*Richmond Newspapers v. Virginia*, 448 U.S. 555, 6 Med.L.Rptr. 1833 (1980).
[iv]*Pell v. Procunier*, 417 U.S. 817, 1 Med.L.Rptr. 2379 (1974).
[v]*Houchins v. KQED*, 438 U.S. 1, 3 Med.L.Rptr. 2521 (1978).
[vi]*Kearns-Tribune v. Utah Board of Corrections*, 2 Med.L.Rptr. 1353 (D.Utah 1977).
[vii]*Kovach v. Maddux,* 238 F.Supp. 835 (D.Tenn.), 1 Med.L.Rptr. 2367 (1965).
[viii]*Sherrill v. Knight,* 569 F.2d 124 (D.C.Cir.), 3 Med.L.Rptr. 1514 (1978).
[ix]*Ludtke v. Kuhn,* 461 F.Supp. 86, 4 Med.L.Rptr. 1625 (1978).
[x]Shulman v. Group W Productions Inc., 18 Cal.4th 200, 26 Med.L.Rptr. 1737 (1998).
[xi]*Florida Publishing v. Fletcher*, 340 So.2d 914 (Fla.1976), cert. den. 431 U.S. 930, 2 Med.L.Rptr. 1088 (1977).
[xii]*Wilson v. Layne*, 526 U.S. 603, 27 Med.L.Rptr. 1705 (1999).
[xiii]*Berger v. Hanlon*, 129 F.3d 505, 25 Med.L.Rptr. 2505 (9th Cir. 1997).
[xiv]*Quinn v. Johnson*, 51 A.D.2d 391, 381 N.Y.S.2d 875 (1976).
[xv]See, for examples, *Near v. Minnesota*, 283 U.S. 697, 1 Med.L.Rptr. 1001 (1931), and *New York Times Co. v. United States*, 403 U.S. 713, 1 Med.L.Rptr. 1031 (1971) (the "Pentagon Papers" case).
[xvi]*Food Lion, Inc. v. Capital Cities/ABC, Inc.,* 887 F.Supp. 811, 23 Med.L.Rptr. 1673 (M.D.N.C. 1995), *denial of renewed motion for summary judgment*, 951 F.Supp. 1217, 25 Med.L.Rptr. 1161 (M.D.N.C. 1996).
[xvii]*Food Lion, Inc. v. Capital Cities/ABC, Inc.,* No.: 6:92 CV 00592 (M.D.N.C. Sept. 1, 1997).
[xviii]*JB Pictures v. Department of Defense*

Building a Public Information Officer Team

Corporal Rudy Lopez

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626 939-8600 ext 7701
rudy.lopez@wcpd.org

Media Relations Unit
626 939-8685
media.relations@wcpd.org

Crisis Communication and the Media – Level 1



Mohammed Saeed al-Sahaf

aka "Baghdad Bob"



bagdadbob

PIO Sainthood



me 1.

NO. 1 IN THE USA

Pennsylvania miners is recreated fo

NOAA via AP

Gulf Coast braces fo

Hundreds of thousands of people in Texas and Louis
to leave as hurricane gains strength ahead of landfal

2002

line

Sports ■ Life

s retreat

Close	Change
7755.61	183.18
1187.30	26.42
4.72%	0.03
55.06	1.48

ancial Services

emocrats
Torricelli

that scandal-
pulled from bal-
eadline. GOP will
preme Court ■ 2A

intensifies

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wants the removal of
ed by al-Qaeda. 3A.

Cover story

John Paul II is history's champion saintmaker

St. Edith Stein

St. Pio of Pietrelcina

Mother Teresa

Dorothy Day

Steps to sainthood, 2A

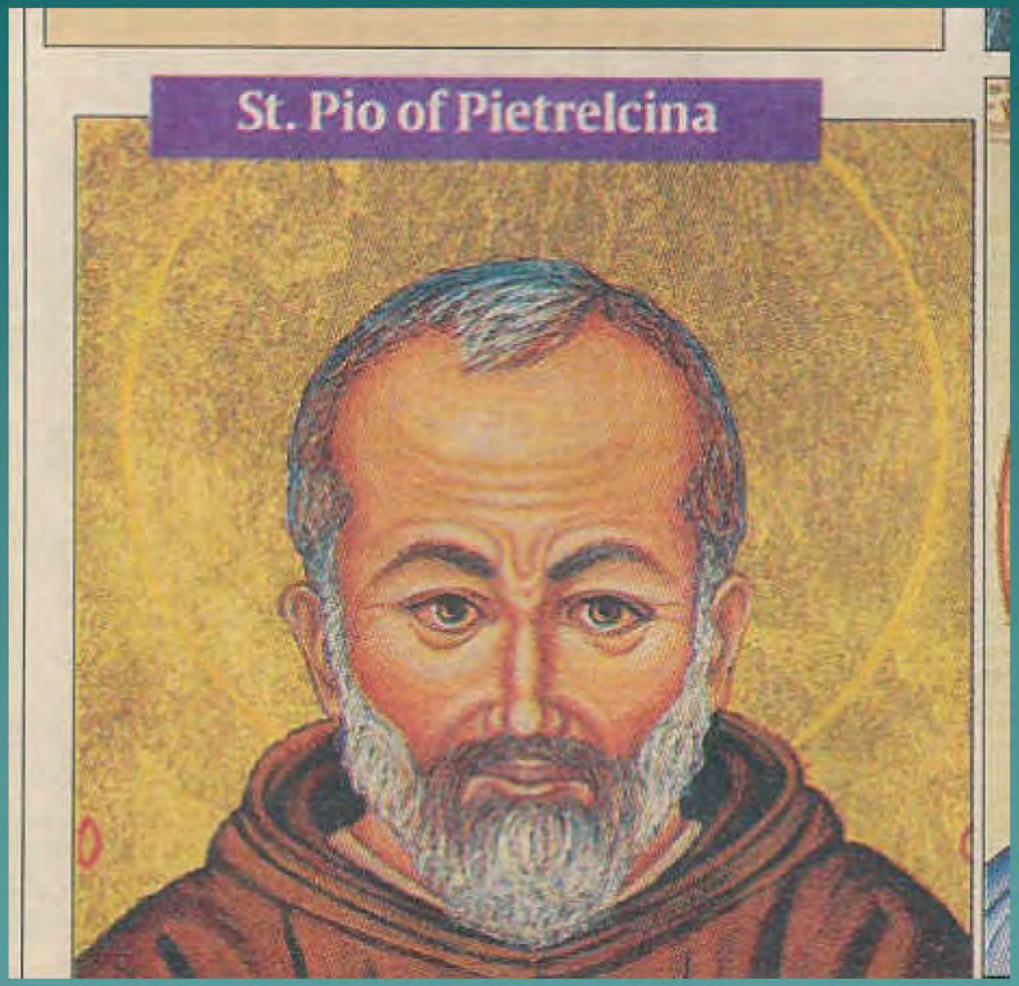
Powe
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can a
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Says disarr
like 'regim

By Barbara Slavin
USA TODAY

WASHINGTON — Secreta
State Colin Powell sugg
Wednesday that Presi
Bush's policy of "regime ch
in Iraq could leave Saddam
sein in power if he disarms
Though Powell said he
simply echoing statement
President Bush, his comn
went a step further and ma
the first time a high-rankin
ministration official has sug
ed Iraq's regime could chan
ways and not its leader.
"The issue is disarman
Powell told USA TODAY's ed

PIO Sainthood



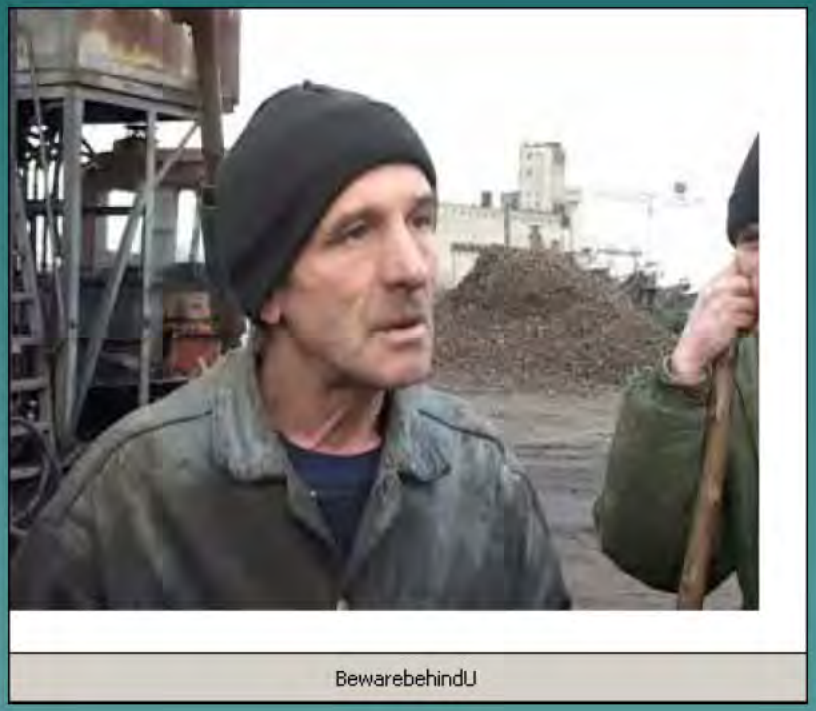
1995 – Tour Bus Hijacking along IS#15

1. Radio Transmissions broadcast the crime
2. Media Responds
3. No PIO
4. Multi-tasks

2003 – HumVee Dealership Arsons –E.L.F.

1. Multi-Agency Task Force
2. Josh Connole
3. KNOW YOUR AUDIENCE!

Know your Audience



Beware of what you can't see

2004 – Hooters Investigation

1. January 27 – victim alleges she was secretly taped while trying on Hooters Uniform
2. Victim contacts local paper, they call us.
3. Early February – 2nd victim makes same allegation
4. February 24 – Search Warrant served at Hooters Trailer
5. March 4 - Press Release
6. Computer lap top forensically searched – 180 mpeg files located
7. 82 applicants are contacted – ages 17-25
8. March 25 – Press Release (no arrest)
9. May 14 – Juan Aponte, 32 arrested. Bail $500k Press Release

Juan Aponte Pled No Contest – 5 years state prison

2006 – Are you Ready?

Katrina Disaster



looting

"There is no such thing as an unbiased article in a newspaper or an objective sound bite on Television news.

On the contrary, reporters and editors are trained experts at getting you to believe what it is they have to say and adopt their point of view."

-Steven B. Sample
The Contrarian's Guide to Leadership

Press Release

Press Release Log

San Gabriel Valley Tribune

- Driver's License Checkpoint
- Driver seen switching places w/ passenger
- Tribune
- Kodak Moment
- Couple in their 70's
- One Zero Three

What is a TEAM?

A group of people you can count on to perform specific functions as needed

2 or more people

Can come from various departments within your organization

Why Do You Need A Team?

Incidents Happen. Be Prepared!

Full Time PIO

Part Time PIO – Collateral duty

Establishes credibility and consistency

Must Have Administrative Support

Must See A Need!

- Promote positive events
- Damage Control (Check point story)
- Using the media as a tool – get the story out!

Know Your Role

Keep Chief/Boss advised of all releases/tactics

Building Rapports

- Your Colleagues
- Media

How Large A Team Do You Need?

1. How large is your department?

2. Amount of Media Coverage – Plan ahead

3. Back up PIOs for major incidents/vacations/
 Schedule On Call - weekends, holidays, nights

Who Should Be On The Team

1. Members should be representative of the department
2. Public Safety: Sworn and non sworn personnel
3. Bilingual suggested
4. Appropriate diversity
5. Someone who has the ability to speak in front of groups, under pressure in a professional manner

PIO as a Collateral Duty

1.Select personnel from different parts of the department Patrol, Traffic, Administration, Detectives

2.Set up phone line for Media Relations with voice mail

3.Have pager activate when new voicemail message is received

4.When incident related to specific part of the department, refer call to that PIO (traffic related accidents, policy issues, etc…)

TIPS

1.Contact the investigator – know the case, discuss what can and cannot be revealed

2.Get Supervisor approval signature

3.Single Source Information – notify your personnel who is handling the press release, email copy to all personnel, instruct where to send media inquiries

4.Tell the reporter what happened, what you can talk about, what you won't BEFORE the interview

5.Ask the reporter what they are looking for BEFORE the interview

6.Speak to the reporter, not the camera, not the scenery

TIPS

1. **Log all contacts –** list the date, time, network, reporter, phone number; track all activity related to the press release
2. **Business Cards** – Desk #, Fax#, Pager#, Cell#, E-mail address
3. **Always** return your phone calls
4. **Tape** your TV interviews, keep copies of newspaper articles
5. **Use the internet** to search for your story released by the news service to the media nationwide
6. **Visit** your area news stations, meet with your newspaper reporters
7. If story affects other cities, agencies, companies, **notify their PIO or Human Resources** as a courtesy (hospitals, police/fire, corporate offices)

TIPS

1. What you do for one, you do for all.

2. Press Releases should be more than crime reporting. Promote your agency!

3. YOU CAN'T DO IT ALONE!

Every Day is a Training Day

Watch the news and see how the media is working the PIO, and vice versa

How would you handle it? What would you do different?

Learn the latest crime trends. Will you have to answer to that same incident in your city/county?

Watch the PIO speak, move, mannerisms, eye contact

Be prepared!

FOX NEWS Channel



jaylobj

This video was featured on FLURL.com

Visit us for over 250.000 free videos & images.

JACKWHAT

NBC NEWS TODAY



flasher

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Media Relations Unit

626 939-8685

media.relations@wcpd.org



Meeting the Media's Needs

Introduction

- **Objectives:**

how to meet the media's needs in a crisis

how to accomplish your goals

Overview of Today's Media

- Broadcast vs. cable and satellite
- Print
- Radio
- The Internet



The Modern Newsroom

Differences
Organization
Technology



The Reporter's Job

What they learn in school
vs - on the job



The academy/rookie analogy

Competition/Scoops/
Deadlines



Breakdown by Media Type



Newspaper Reporters/Photogs

- **Detail**
- **Handouts**
- **Visuals**
- **Other sources of information**



Radio



- **Advantages of radio**
- **Live!**
- **Phoners**
- **Quiet background**
- **Editing by computer**

TV

- It's all about the visuals
- Location, Location, Location
- The Live Shot
- The Power



Assignment Desk Needs

- **Contact Info**
- **Thomas Bros Locators**
- **Maps, Routes**
- **Airports**
- **Rental Cars**
- **Hotels**



Reporter's Needs



- Access
- SMEs
- Official Info
- Human Interest
- Sidebars

Photog's Needs

- **Access**
- **Pics that tell the story**
- **Access**
- **Feed Locations**
- **Access**
- **Access**



The Seven C's of Modern News Coverage

Source: Me

The Seven C's

Compelling





The Seven C's

Controversial



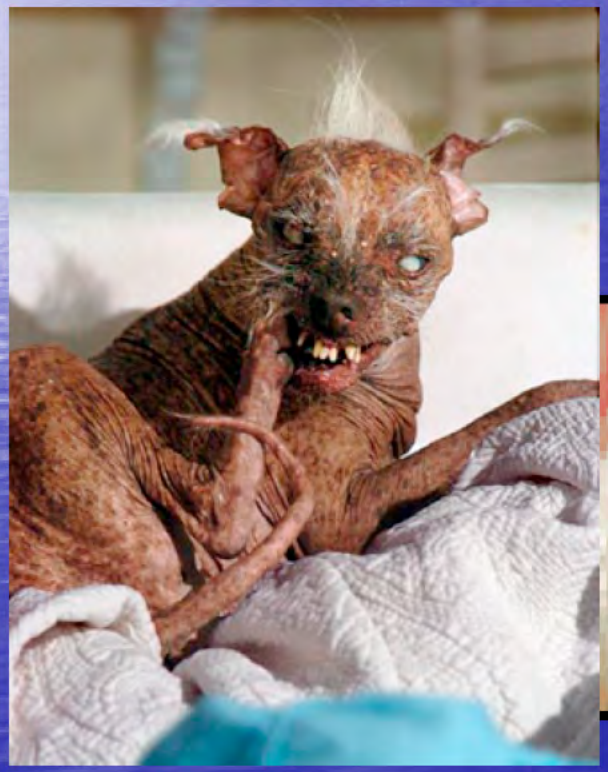
The Seven C's

Children



The Seven C's

Critters

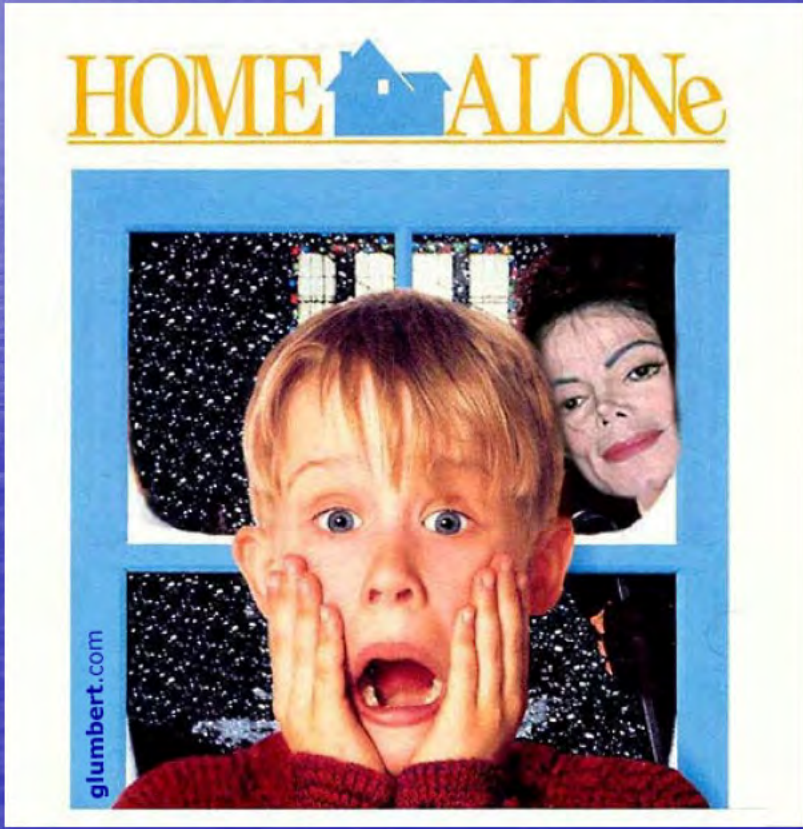






The Seven C's

Celebrity



The Seven C's

Caught on Tape



The Seven C's

Cause



The Seven C's of Modern News Coverage

Source: Me

Other Culture Media



- Know Your Market
 - **Get to know key people**
 - **Translation vs. Interpretation**
 - **Time restraints**
 - **Visuals**

Specialty Shows

- Hard Copy, Current Affair
- News Magazines
- Talk Shows
- Morning Network Shows
- Public Affairs



Questions?
Comments?

MEETING THE MEDIA'S NEEDS

I. UNDERSTANDING THE NEWSROOM STRUCTURE

A. News Director

B. Assistant News Director

C. Managing Editor

D. Planning Editor

II. SHAPING NEWS GATHERING

A. Overnights

B. News Conferences

C. Ongoing Stories

D. Breakers

III. FIELD COVERAGE

A. Reporters

B. Photographers

C. Field Producers

D. Micro-vans and Satellite Trucks

IV. WHO DECIDES WHAT MAKES AIR?

V. WHAT ABOUT BREAKING NEWS?

VI. PHOTOGRAPHER'S NEEDS?

VII. REPORTERS' NEEDS

VIII. WHAT EVERY GOOD PIO SHOULD KNOW

Meeting the Media's Needs

Introduction

Most public officials wouldn't believe it, but the needs of the news media are comparatively few and simple to understand. It is the intensity, volume, and the adversarial perspectives that sometimes characterize our encounters with the news media that lead us to believe that journalists are a high-maintenance bunch. This section is intended to give the public information professional a useful insight and perhaps, appreciation for the relatively straight-forward needs of the news media. The sooner we recognize them and strive to meet them to the extent practical and appropriate, the sooner we can move on to pursuing our own goals in our love-hate relationship with reporters.

Topics and principles to be considered as you strive to meet a reporter's needs while serving the public interest as represented by your agency include the following.

I. Reporters' needs are basic
 - A. Information is their lifeblood.
 - B. Visuals are increasingly important.
 - C. Timeliness is everything, but reporters live in the immediate and short-term.
 - D. Access is both necessary and considered an entitlement.

II. The "objective" reporter: reality or myth?
 - A. Demographics shape the news.
 1. Urban, suburban, rural media send reporters of different demographics.
 2. Typical reporters are NOT Walter Cronkhite or Dan Walters.
 - B. Media ownership affects the news.
 - C. Journalists' motivations and perspectives affect the news.
 1. Good PIOs recognize the motivations, perspectives of reporters.
 2. Best PIOs don't presume the motivations, perspectives of reporters.

III. News production process: Not your typical government policies and procedures.

IV. Different media have somewhat different needs.

A. Print media emphasize more detail, ongoing interest.

B. Broadcast media emphasize high points of an issue.

1. Broadcast media think in short “soundbites.”

2. Broadcast must have visuals or audio to tell the story.

C. Non-daily media have least time restrictions, but often need most nurturing.

V. Issuing information effectively means thinking like a reporter.

A. Deadlines range for various media and must be respected.

B. Settings must reflect the story whenever possible.

C. Selling a story means being honest with ourselves about what IS a story.

D. Media releases can help shape a story. “Fluff” releases don’t fool the media.

E. Getting good news out requires imagination, good relationships.

F. Relationships with the media can be forged and are worth the effort.

VI. Meeting the need in crisis or disaster means stepping up the effort.

A. Access becomes more critical.

B. Accelerated deadlines apply.

C. Volume and frequency of media requests increase dramatically.

VII. Practical/logistical needs should be considered.

A. Media headquarters facilitates coverage, but NOT a substitute for the scene.

B. Equip the room to serve reporters doesn’t require elaborate expense.

C. Reporters require few creature comforts. Try to accommodate them.

D. Making the news convenient pays off.

PUBLIC RELEASE *of Patient Information*

Based on state and federal laws presented in the California Association of Hospitals and Health Systems (CAHHS) *Consent Manual* and the CAHHS *Guide to Public and Private Release of Patient Information.*

State law provides that *unless there is a specific written request by the patient to the contrary,* the **Confidentiality of Medical Information Act** *does not prevent health care providers, upon an inquiry concerning a specific patient, from releasing at its discretion any of the following* **general** *information: the patient's name, address, age, and sex; a general description of the reason for treatment (whether an injury, a burn, poisoning, or some unrelated condition); the general nature of the injury, burn, poisoning, or other condition; the general condition of the patient; and any information that is* ***not medical information*** *... "Medical information" means any individually identifiable information in possession of or derived from a provider of health care regarding a patient's medical history, mental or physical condition, or treatment.* (The preceding is a close paraphrase of sections 56.16 and 56.05 (b) of the California Civil Code; the *italicized* portion is verbatim.)

Regarding a general patient*, limited amounts of basic information may be made available to the public unless otherwise requested in writing by the patient. Even though not so required by law, hospitals should also honor a verbal request to withhold information. Although the law allows release of basic condition information about both illnesses and injuries, hospitals generally should be reticent to provide information about illnesses. Without written patient authorization, hospitals may not release information that identifies a patient's diagnosis. Hospitals should have a person or department available on a 24-hour basis to answer media inquiries. The name of the attending physician should not be released to the news media without the permission of the physician. (CM 21.5. E.3.)

1 Basic information which may be released regarding general patients*: The patient's name, address, age and sex, and general description of reason for treatment, general nature of injury, or general condition (CM 21.5. D.1.) (Guide III A (a)-(d).)

2 Definition of General Condition: (CM 21.5. D.2.) (Guide IIIA (d) (1).)

a. **Good.** Vital signs are stable and within normal limits. Patient is conscious and comfortable. Indicators are excellent.

b. **Fair.** Vital signs are stable and within normal limits. Patient is conscious but may be uncomfortable. Indicators are favorable.

c. **Serious.** Vital signs may be unstable and not within normal limits. Patient is acutely ill. Indicators are questionable.

d. **Critical.** Vital signs are unstable and not within normal limits. Patient may be unconscious. Indicators are unfavorable.

e. **Deceased.** Announcement of death is not routinely made by the hospital. However, news of the death of a patient is public information after the family has been notified or after all reasonable efforts to notify the family have been made. Hospitals may, with or without consent, release information which is to appear on the death certificate, including the basic information above and color or race, marital status, name of spouse, birthplace, occupation and industry or business, and time and place of death. However, the cause of death should not be reported unless it has been entered on the death certificate by the last attending physician or the coroner.

3 Elaboration on General Condition: (CM 21.5. D.3.) (Guide III A (d) (2).) It may prove necessary in describing patient condition to provide a description of the nature of the accident (e.g., automobile, plane, explosion) or injuries. Such description should be limited as follows:

a. **Shooting.** (1) A statement may be made that there is a penetrating wound and the general location may be given. (2) No statement may be made as to how the incident occurred, i.e., accidental, suicidal, homicidal, or in a brawl, nor may the environment under which the accident occurred be given.

b. **Stabbing.** The same general statements may be made for stabbing as for shooting incidents.

c. **Fractures.** A fracture is not to be described in any way, except to state the member involved and whether the fracture is simple or compound.

d. **Head Injuries.** (1) A statement that the injuries are of the head may be made. (2) It may not be stated that the skull is fractured. (3) No opinion as to the severity of the injury may be given until the condition is definitely determined. (4) Prognosis is not to be made.

e. **Internal Injuries.** (1) It may be stated that there are internal injuries, but nothing more specific as to the location or the condition of the injuries. (2) A

(continued on back)

The term "general patient" refers to regular adult inpatients but does not apply to mental health and alcohol or drug abuse patients, who are subject to much more restrictive statutes and regulations, as described in the* **CAHHS Consent Manual, *Chapters 22 and 23.*

PIO Exercise Briefing

Explain SEMS/NIMS/ICS

1. **Show charts**

2. **Recommend reading-SEMS/NIMS ICS**

3. **Show exemplars.**
 - In book
 - Handouts

4. **Explain exercise**

 Purpose

 - Team building
 - Discover Issues
 - Apply what you've learned.

 Groundrules

 - Give you a scenario-act like a PIO team. **Not IC**
 - Not told much, Incident unfolds, info **Jude**/not made –up
 - You'll be given a list of PIO tasks to perform
 - Work in teams separately-Find a place: Where?
 - Rudy wandering as media
 - Work until _____. Then team briefings of your tasks.
 - What are we? Incident.
 - Dismiss: 1) Find a place to work quickly (Ames Hall)
 2) ID a team leader and send them back to me.
 3) Tell me where your team is. I'll give them tasks/materials.
 4) I'll wait for all team leaders.

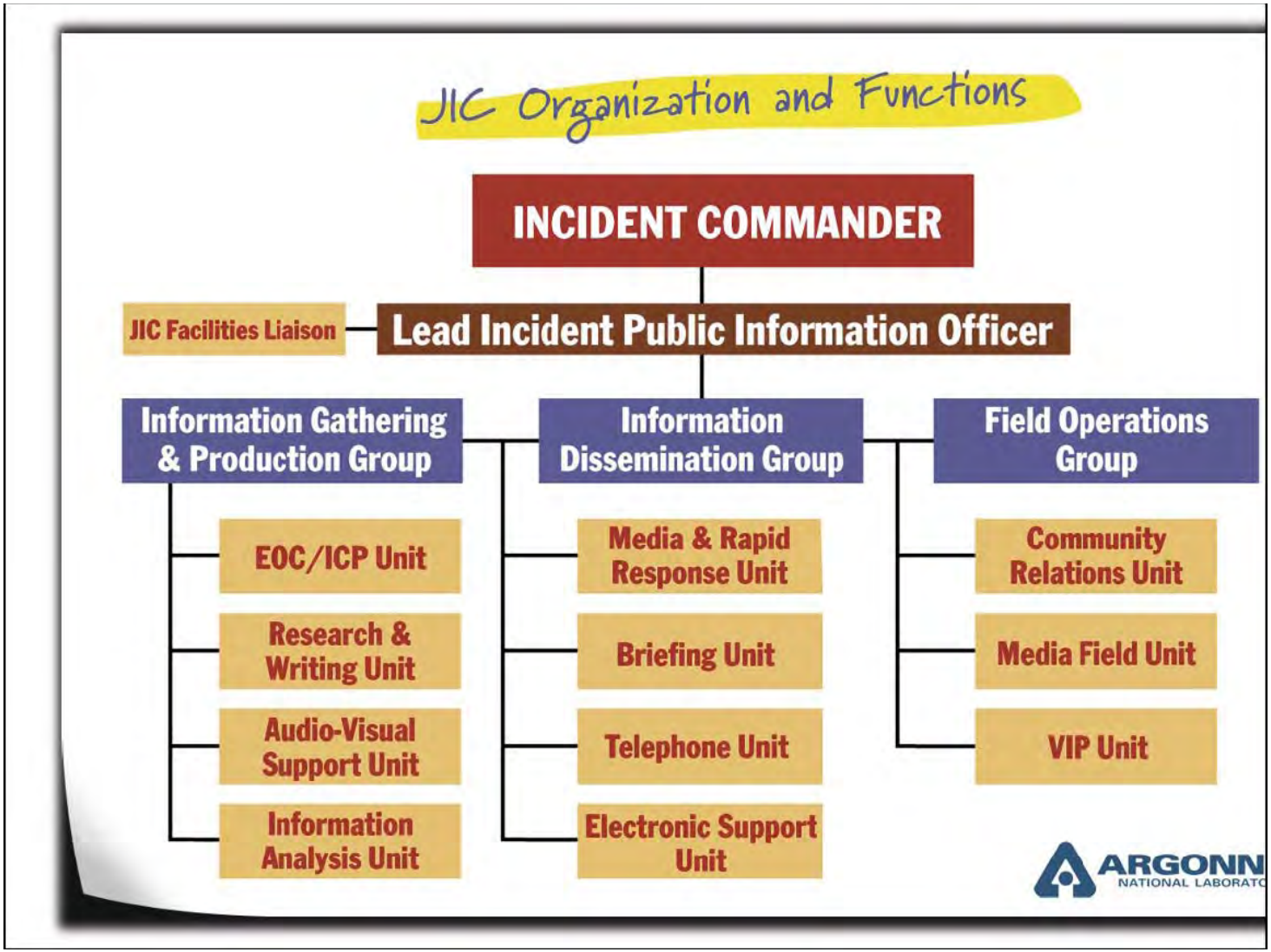
5. **Questions?**

6. **Read the Scenario…….**

PIO Getaway Kit

ITEM	SOURCE	EST. PRICE
Wireless telephone w/ email/contact/calendar capability	Cingular, Sprint, Verizon	Free w/service
Notebook computer w/DVD burner	CompUSA, Fry's, Microcenter	$1,000.00
Portable printer w/PC card data and power connection	CompUSA, Fry's, Microcenter	$ 300.00
Digital DVD video/still image recorder	Best Buy, Circuit City, Costco	$ 800.00
Disposable 35mm camera (backup)	Target, WalMart, RiteAid	$ 5.00
Portable trunking radio scanner	Uniden, Motorola, Fry's	$ 250.00
Portable LCD television	Fry's, Hannspree, Best Buy	$ 200.00
GMRS Radios (4 ea.)	Target, Best Buy, Fry's	$ 100.00
Binoculars (10x preferred)	Costco, Target, WalMart	$ 100.00
Digital dictation recorder	Office Depot, OfficeMax, Staples	$ 100.00
Solar/handcrank AM-FM radio	Fry's, Herrington, Sharper Image	$ 60.00
Solar/handcrank flashlight	Fry's, Herrington, Sharper Image	$ 60.00
Battery-operated flashlight (snake)	Home Depot, Target, WalMart	$ 20.00
Megaphone	Public Safety Supply Vendors	$ 150.00
Media identification badges (plastic pin-on)	Office Depot, OfficeMax, Staples	$ 70.00
Magnetic vehicle/structure PIO identification signs	Fast Signs, Local Signmakers	$ 200.00
Thomas Brothers spiral-bound street maps	Barnes and Noble, Costco, Target	$ 20.00
Agency 500-scale, 1000-scale, and 8 ½ x 11" maps (3 ea.)	Internal	No charge
Orange vest with PIO markings	Public Safety Supply Vendors	$ 30.00
Yellow rain suit with PIO markings	Target, WalMart, Surplus Stores	$ 20.00
Protective gloves and goggles	Internal	$ 5.00
Multi-tool w/knife, scissors, screwdriver, etc.	Target, WalMart, Fry's	$ 20.00
Vehicle triple power splitter	Radio Shack	$ 15.00
Vehicle power inverter	Target, WalMart, Fry's	$ 20.00
Tripod	Target, WalMart, Fry's	$ 25.00
DVDs, memory cards, other applicable media	Best Buy, Fry's, Target	$ 50.00
Batteries for all applicable devices	Costco, Home Depot, Target	$ 50.00
White boards, pens, eraser	Office Depot, OfficeMax, Staples	$ 25.00
Agency key officials and employee address and telephone lists	Internal	No charge
Agency emergency operations plan	Internal	No charge
Media law briefings	Agency Legal Counsel	No charge
Pre-prepared news releases and checklists	Internal	No charge
Media contact list	Internal	No charge
Local telephone directory	Internal	No charge
Business cards	Internal	No charge
Yellow barrier tape	Internal	No charge
Personal comfort/safety items (granola/candy bars, earplugs, mask, goggles, gloves, sunscreen wipes, lip balm, hand sanitizer, tissues, aspirin, water, hat/visor, comfortable sneaker-type shoes, umbrella, first aid kit, etc.)	Target, WalMart	$ 25.00
Office supplies (pens, pencils, highlighters, scissors, stapler, staples, paperclips, adhesive tape, double-stick mounting tape, pointer, lined paper, plain bond paper, letterhead, etc.)	Office Depot, OfficeMax, Staples	$ 50.00
Wheeled carrying cases w/heavy-duty lids; also use as risers (2 ea.)	Sears, OSH, Home Depot	$ 120.00
SUBTOTAL		$ 3890.00
8.75% TAX		$ 340.38
TOTAL		**$ 4230.38**

PIO Team Organization



Crisis Communications and the Media: Level One

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Appendices

Information Officer Position Description (Field Level)

Public Information Officer Position Description (Local Government Level)

Public Information Officer Position Description (REOC Level)

Emergency Public Information Section/Branch Organization Exemplar

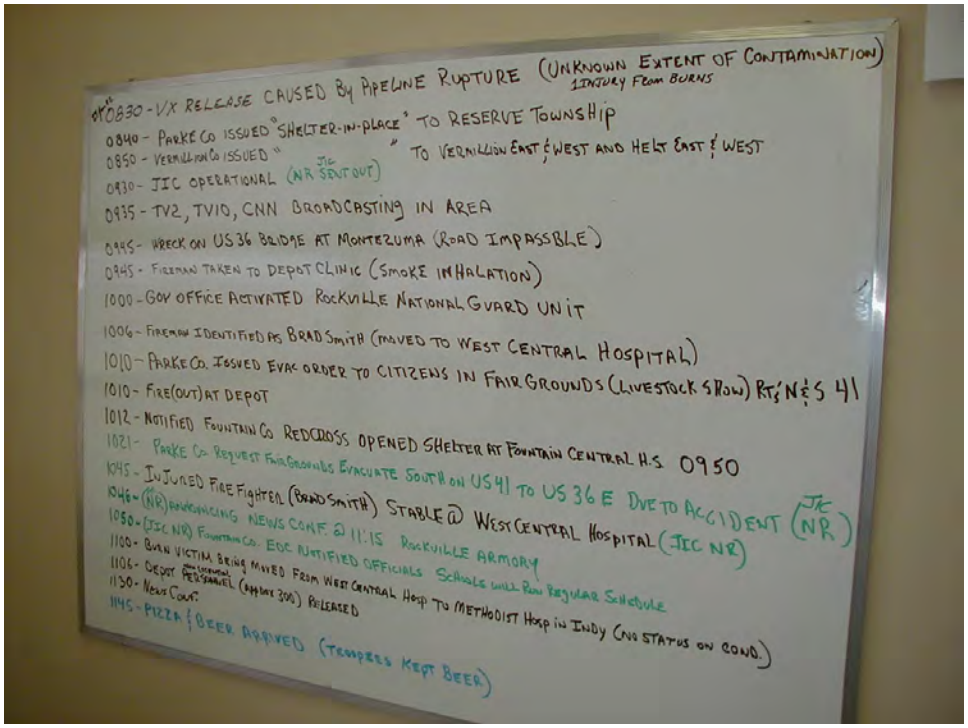
Emergency Public Information Glossary of Terms

Los Angeles County Sheriff's Department Media Guidance



Information Management





What is Information?

Types/Categories of Information



Life Saving

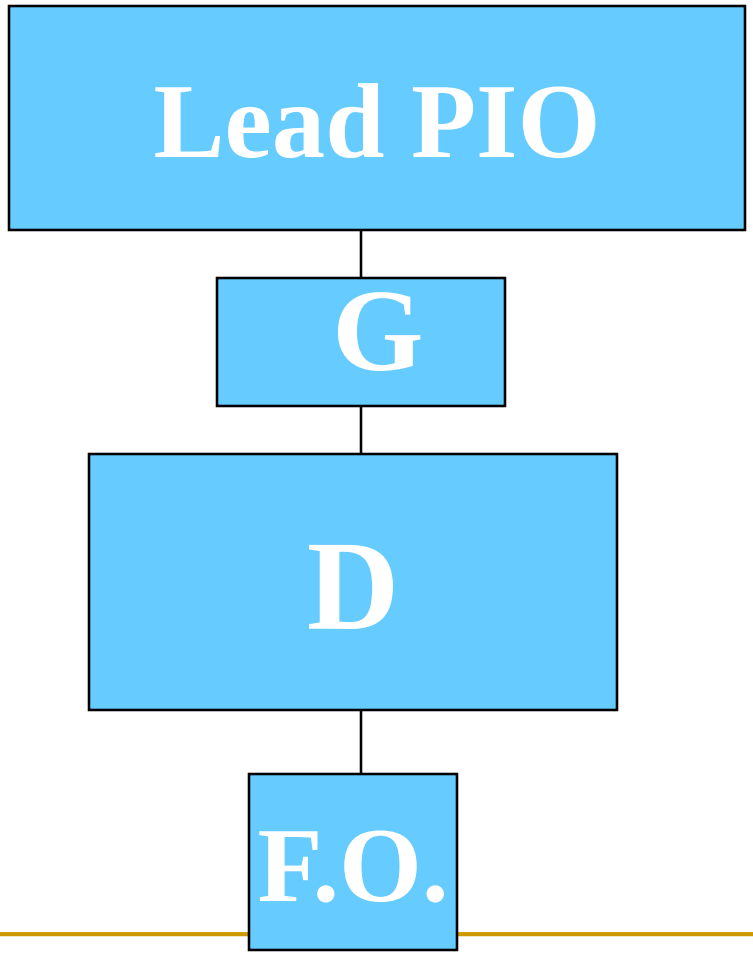
What to do

Where to go

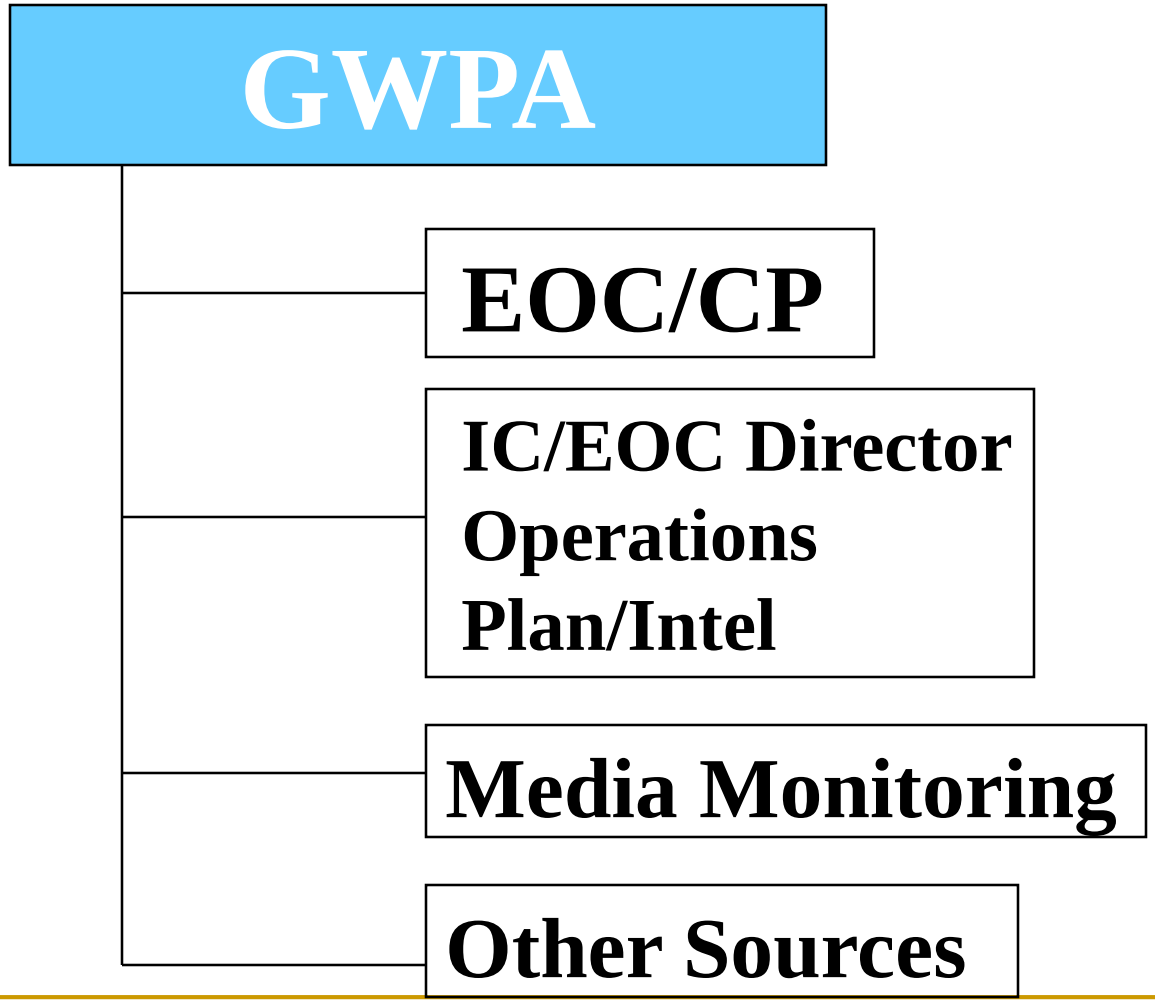
Where NOT to go

Who, What, Where, When, Why, How

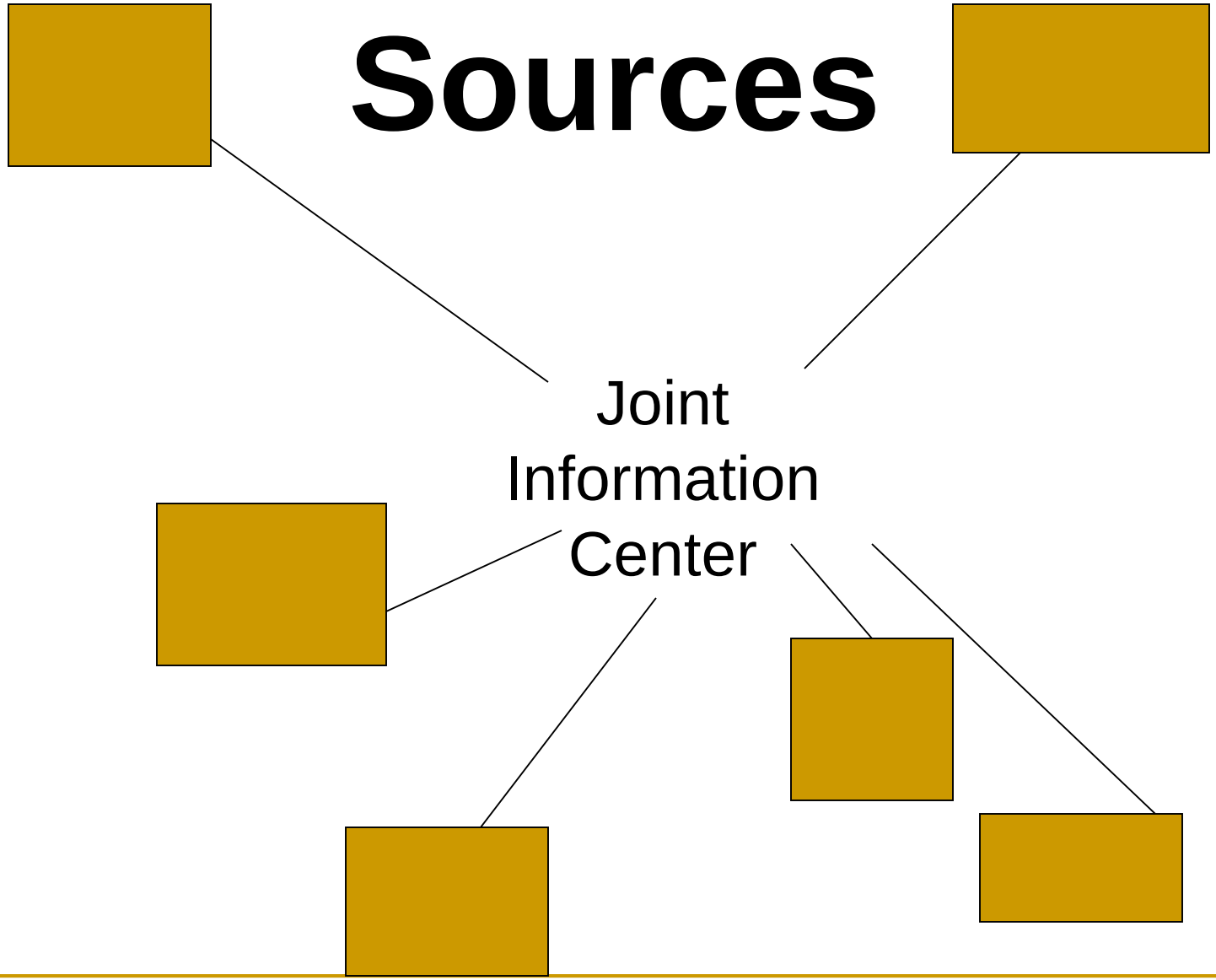
Team Organization



Team Organization



Sources



Information Triage

- ✓Value
- ✓Priority
- ✓Verification
- ✓Approval for Release



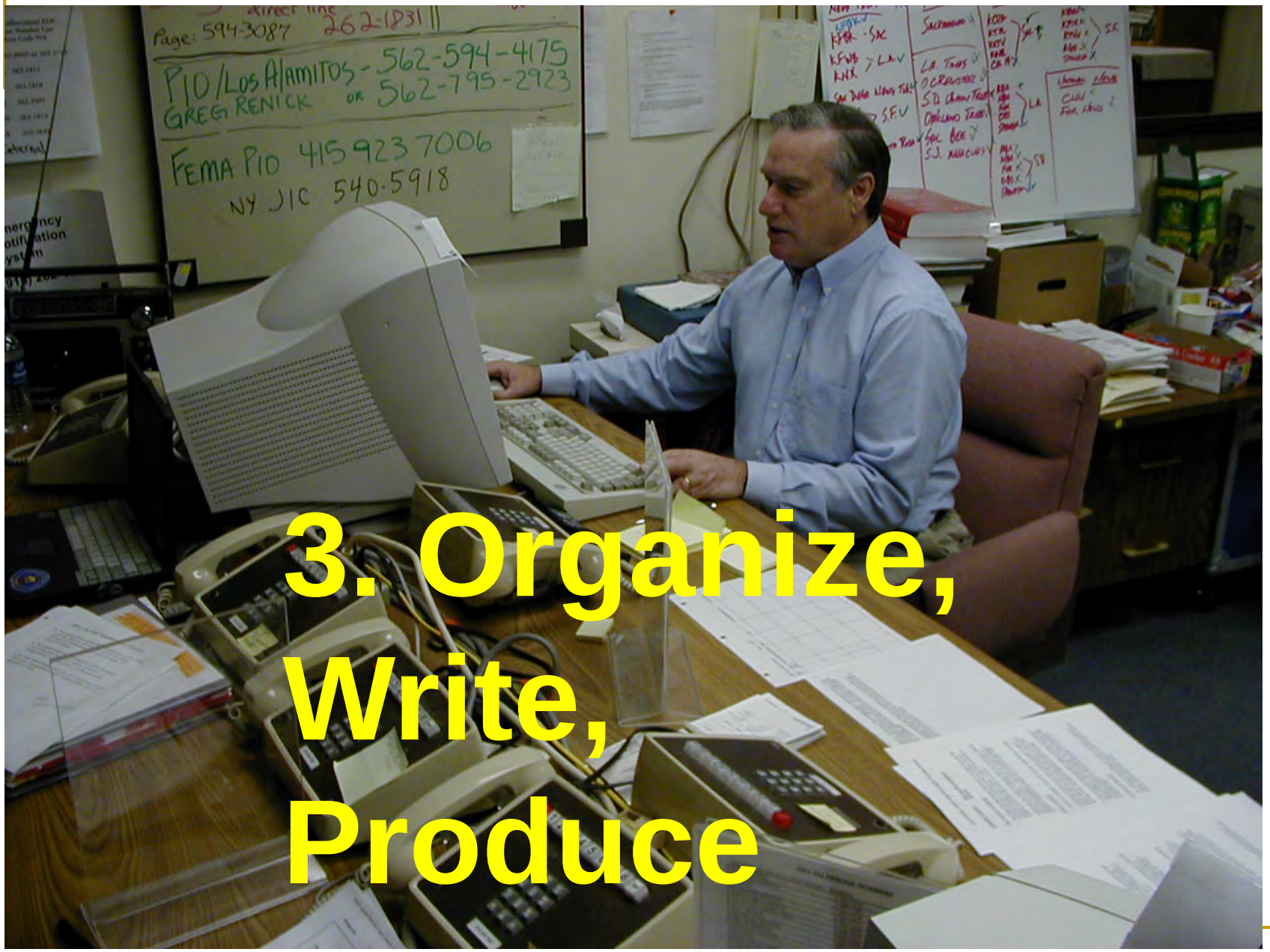
Seven
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Inform
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1.Gather
TELCOM SYSTEMS
RAB

2. Analyze

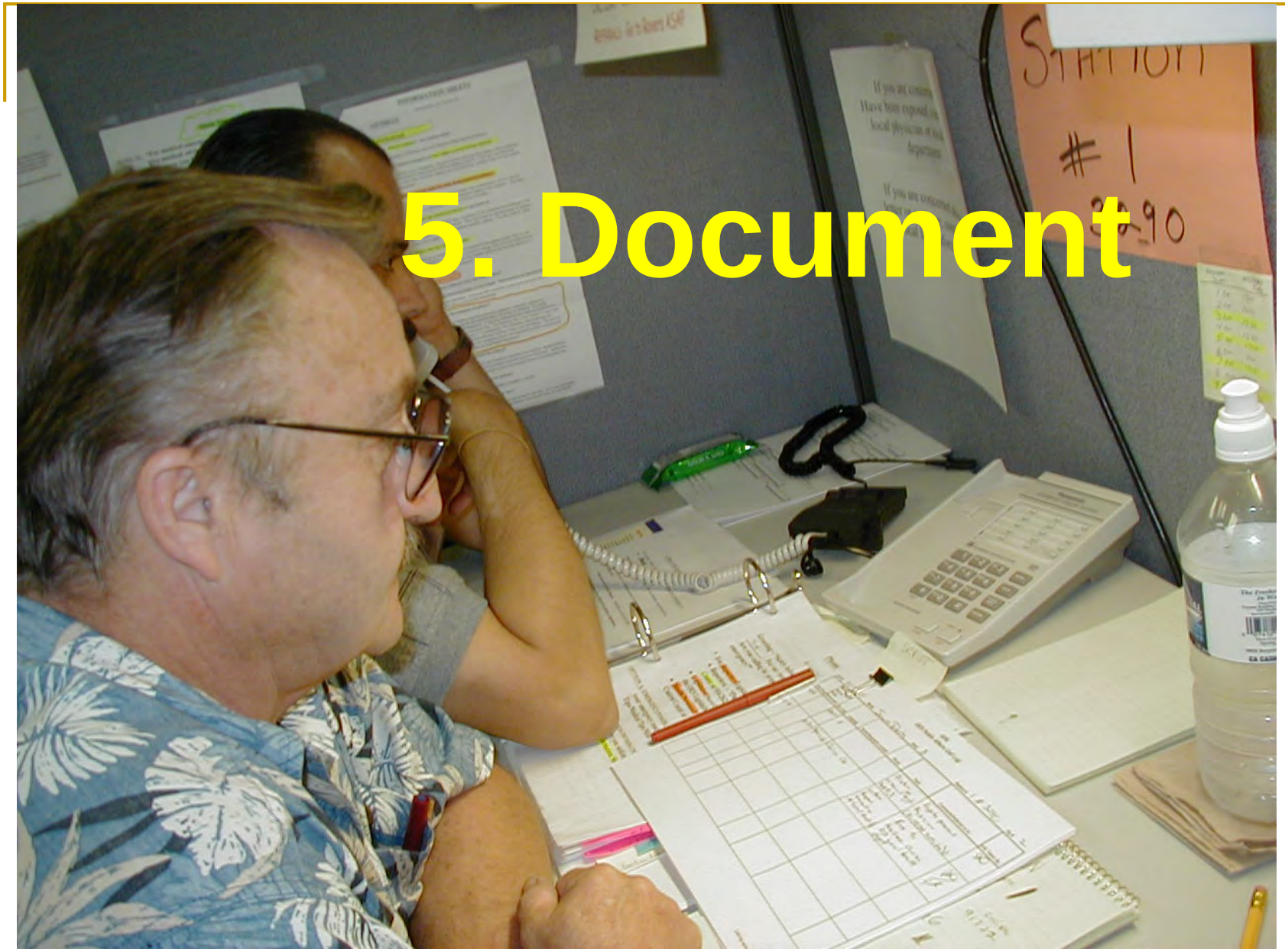




3. Organize, Write, Produce



4. Approve- all agencies


5. Document

6. Disseminate



KRT PHOTO BY GEORGE BRIDGES


7. Monitor

Breakout Time!



Watch the videotape

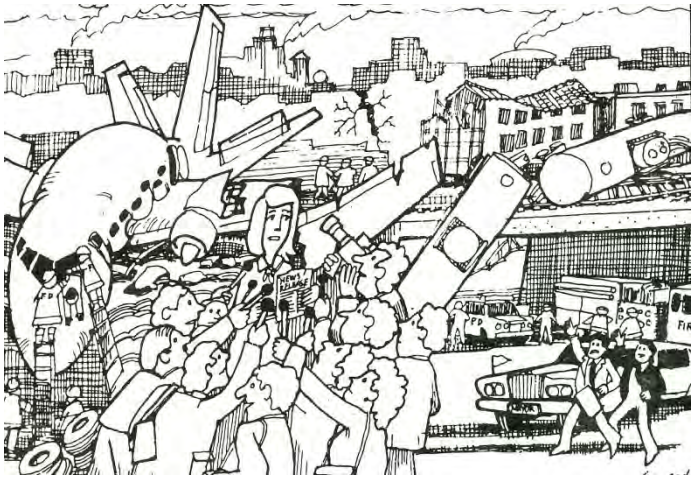
1. Count off 1-6

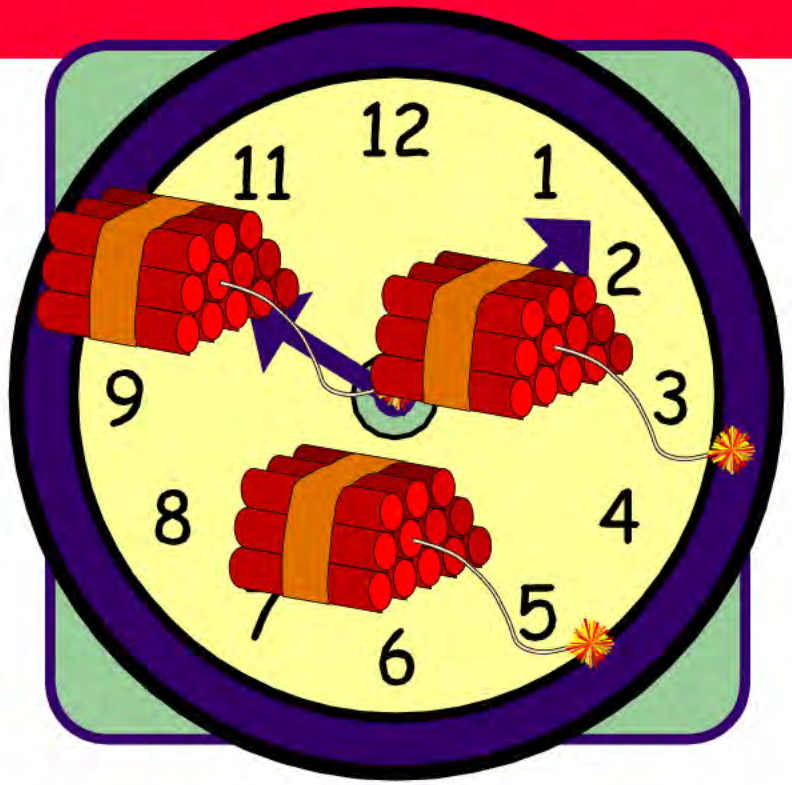
2. Pick a Team Leader



3. You are agencies

- Manage information-you are GWPA!
- You cannot make up information
- You cannot make tactical decisions
- Goal: post the best overall picture of the incident



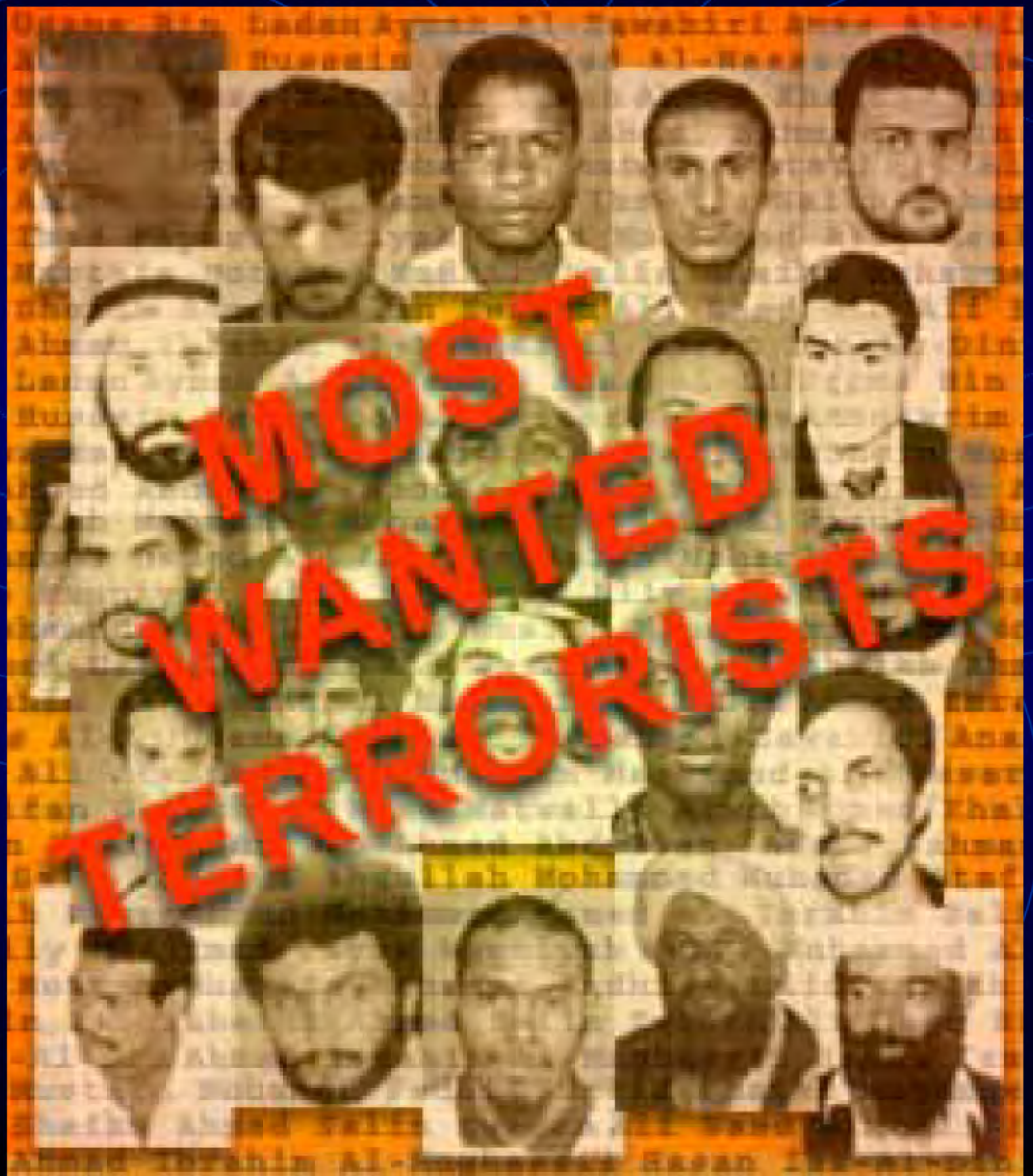

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11

The War on Terrorism: The Role of the PIO

by

Anthony A. Lukin, Ph.D.

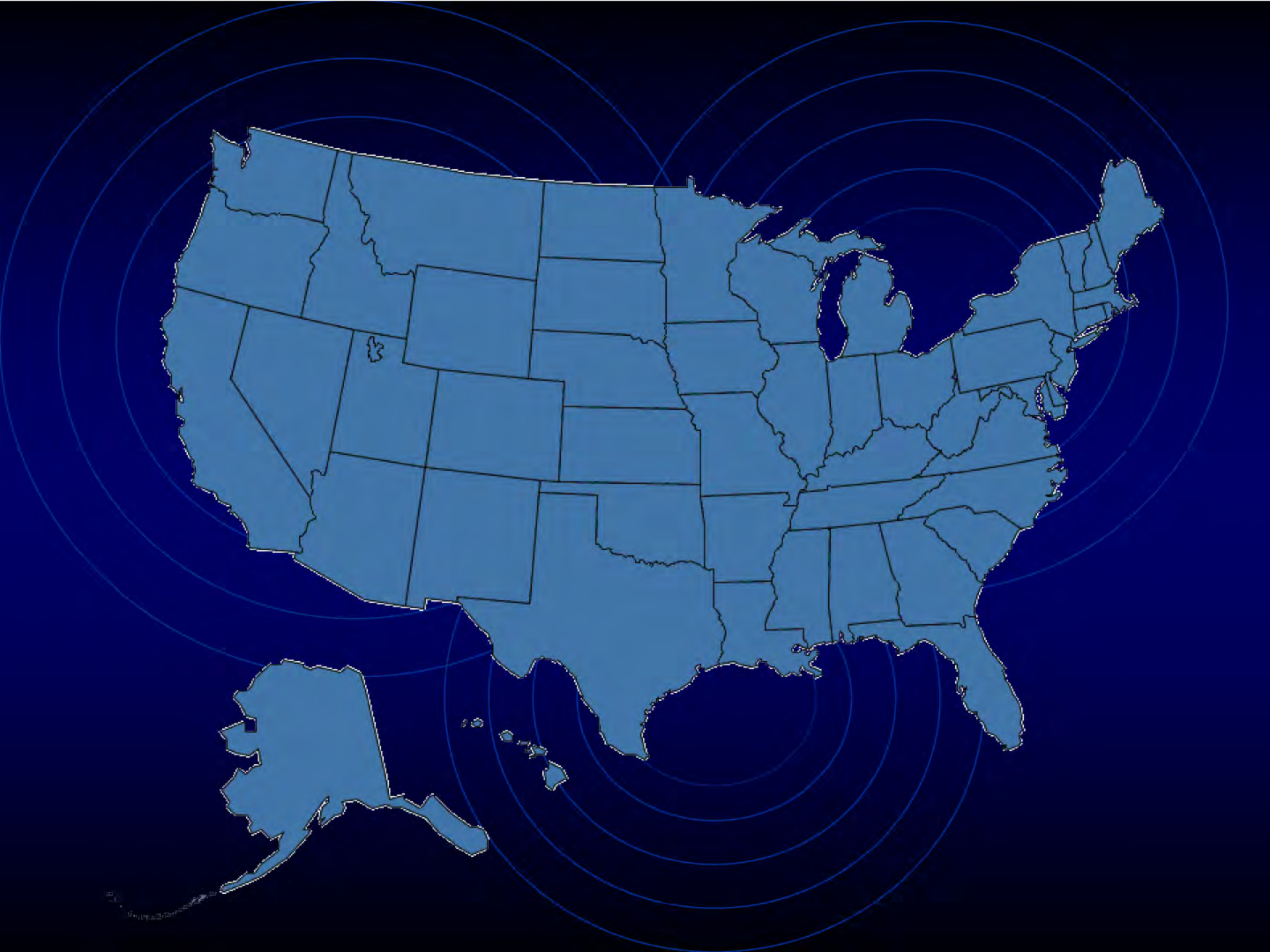
May 2007


MOST
WANTED
TERRORISTS

The Muslim World



Who is Fighting the War on Terrorism in the United States?



WE ALL ARE!

Who are the Most Important Fighters in the War on Terrorism?

Law Enforcement



Fire Fighters



Emergency Medical Services



Who are the Most Important Fighters in the War on Terrorism?

YOU ARE!

The PIO



WHY?

International Terrorism: A Definition

- Unlawful Use, or Threatened Use of Force or Violence
- Against Persons or Places
- To Cause Fear and to Intimidate
- Governments, Citizens, or Other Entity
- Political, Social, or Religious Purposes
- Across Recognized National Boundaries

Terrorism and the Media

- The Media as a Weapon
- “Propaganda by Deed”
- The Theatre of Terrorism
- “The Amplification Effect”
- Who is Exploiting Who?
- Convergence of Interests

The “Duel” Over the Message

- The Terrorist Message
- The Government Message

The Terrorist Message

- Fear and Intimidation
- Draw Attention to a Cause
- Motivate Target Audience
- Demonstrate Government Weakness
- Demonstrate Futility of Fighting Back
- Increase Support for Their Cause

The Government Message

- **“EGBOK”**
- **Positive**
- **Accurate**
- **Demonstrate Competency**
- **Demonstrate a “Fighting Spirit”**
- **Remembrance and Recovery**
- **Event Specific “Counter-Messages”**

(CNN)

[CNN]

Realities of the War on International Terrorism:

- Started Long Before September 11, 2001
- A “Real” War – Both Long and Complex
- The Theatres of War
- Different Theatres – Different “Look” to the War

The California Situation:

- California is a "Target Rich" Environment
- California Has Been and Remains a Major Terrorist Target
- California is "Home" to Many Terrorists and Terrorist Groups
- California is Best Prepared to Combat This Terrorist Threat







Reasons Why We Are Prepared:

- A History of Aggressively Preparing for, and Responding to, Disasters
- A History of Coordinated and Effective Emergency Planning and Training
- Experience, Education and Effective Leadership
- The Recognition of the Importance of You and Your Professional Duties

Congratulations!

Thank You!

Welcome to the War!

Comments or Questions

WHEN WRITING A NEWS RELEASE REMEMBER…

1. Simplicity. No more than two or three paragraphs.

2. Use the 5 W's and the H. Who, What, When, Where, Why and How.

3. Don't over hype your event or make false promises.

4. Spread time out for the event. State the entire time period, 3-4pm.

5. Make sure there are accurate contact numbers on the release.

6. Don't bury the lead. Make the pitch in the first few lines.

WRITING FOR BREAKING NEWS EVENTS

1. Directions to the situation with map page and coordinates. Also include parking instructions for micro-vans

2. Directions where to find PIO.

3. Lifesaving information including what and where to avoid.

4. Secondary information including road closures and shelters.

5. Information does not have to be pretty, just the facts.

NEWS RELEASE ETIQUETTE

1. Know your contact inside the newsroom.

2. Find out their preferences for receiving releases: e-mail, fax, or mail.

3. Unless it's a big event most newsrooms organize the day's scheduled events one day ahead of time.

4. If you wrote the release, then you should be the one doing the call back.

5. Make sure you have micro-van parking available.

6. If you promise an exclusive, make sure you keep your promise.

OTHER THINGS YOU SHOULD KNOW

1. Story must be visual. Talking heads are no longer enough.

2. Just because your event is covered don't expect it to air.

3. News outlets will always cover a "good story".

GOVERNOR'S OFFICE OF EMERGENCY SERVICES
California Specialized Training Institute
P.O. Box 8123
San Luis Obispo, CA 93403-8123
Phone: (805) 549-3536
Fax: (805) 543-3348

CRISIS COMMUNICATIONS & THE MEDIA - FIRST LEVEL COURSE
(CCM1-1-07)
October 15-19, 2007
San Luis Obispo, CA (CSTI)

Participant Information

Thank you for registering in CSTI's Crisis Communications & the Media First Level course. We want your week with us to be the most informative and productive possible. This is *participatory* course, one that will provide you with valuable communications skills. It involves role-playing, on camera interviews, and team activities. This is the first of a three level series. Should you have any questions after reviewing this letter please contact **Kayla Mikel**, (805) 549-3536 for administration, or Course Manger **Robert Gandy**, (805) 549-3269 for course content.

Lodging: CSTI has blocked rooms for participants at the Inn at Morro Bay (see enclosed map) from Sunday October 14th through Friday morning, October 19th.

Inn at Morro Bay	**Single**	**$ 84.00 + 10% tax**
60 State Park Road	**Double**	**$ 94.00 + 10% tax**
Morro Bay, CA 93442		
(805) 772-5651		
Federal Tax ID #: 52-1816379		

You must confirm this reservation directly with the hotel by **September 30th, 2007**. **When making reservations identify yourself as a student from the California Specialized Training Institute and the course you are attending**. You may select a different hotel, but if you choose to stay at the Inn at Morro Bay you must confirm this reservation yourself. If you require a double room or any other special arrangements, please contact the hotel directly. **Failure to confirm the room may result in your inability to stay at the hotel and/or receive the stated rate**. **Due to the team-oriented nature of your class, and the workshop requirements, it is recommended but not required that you stay at the Inn at Morro Bay**.

Registration: Will be held on Monday between 7:30 and 8:00 a m. at Ames Hall Bldg. 901, Camp San Luis Obispo (see attached map).

IMPORTANT!! ***Camp San Luis Obispo is a California National Guard facility, subject to Department of Defense security requirements, including random vehicle searches inbound and outbound. You must bring a photo ID (preferably a current driver's license), and current vehicle registration, and your up-to-date proof of vehicle insurance to gain access into Camp San Luis Obispo! (If you have recently renewed your license, registration or insurance, please bring your receipt; it will greatly expedite your entrance to the Camp.) Please fill out the attached "parking permit" and have it ready before coming to the base. If you do not have these items with you, then you will not be allowed into the camp to attend the class!*** If you experience any problems with access to the camp, please contact the Chief of CSLO Security at (805) 594-6364 or the CSTI main number (between 7:30 am and 5:00 pm) at (805) 549-3535.

New Tuition Rate: $650.00

Tuition Policy: **Tuition payment must be mailed to CSTI, or credit card information called in, prior to the start of the course. We are unable to accept tuition payments on the day of registration.** Late registration will be considered on a case-by-case basis, depending on availability. CSTI accepts checks, money orders, and credit cards (VISA, MasterCard and American Express). **Purchase orders are not accepted.** Checks should be made payable to STATE OF CALIFORNIA OFFICE OF EMERGENCY SERVICES. For credit card payments or questions about tuition contact Christine Low at (805) 549-3599, Christine_Low@oes.ca.gov. Our Federal Tax ID # is 68-0278801.

→over

Meals: A fee of **$39.00** will be collected from each participant at registration to cover the cost of lunch, snack, and beverage services Monday, Tuesday, and Thursday, Friday 1/2 day (no lunch). Wednesday you are on your own with lunch due to Hearst Castle trip. OES has entered into a contract with Phoenix Foodservices to accommodate the need for meal service within the tight schedule of the course and the long distance to other adequate food service providers. During the week every meal is served with a soup and salad bar, at least one deli sandwich bar and at least one hot lunch entrée during the week, vegetable, starch, bread, a selection of desserts and a choice of beverages. ***Participants with special dietary needs or other caterer concerns should advise the Institute Contract Manager, Jeanine Gentis at (805) 549-3531 at least 5 days prior to registration***.

Please be prepared to pay in cash, check payable to "**Phoenix Foodservices"** or credit cards (VISA, MasterCard, American Express) at registration. Your cooperation is appreciated and allows us to focus on providing the best training programs possible. (ADDRESS: Phoenix Foodservices, 920 Cyclamen Court, San Luis Obispo, CA 93401 Phone Number (805) 544-4889 / Federal Tax I.D. #: 77-0007841

Law Enforcement Personnel: This course is **POST CERIFIED PLAN III**. POST reimbursement is $250.00 of the CSTI's $650.00 tuition. Please bring your completed Training Reimbursement Request form (TRR) with you to registration Monday morning. POST Control Number: **9560-22330-07001**.

University of California Credit: The University of California at Santa Barbara approves this course for post-graduate, professional credit through UCSB Extension. Employers recognize these professional credits for promotional purposes and professional advancement, by state licensing agencies for renewal, and by professional associations for certification. The University of California does not recognize this type of credit for transfer to either graduate or undergraduate degree programs, but may be accepted for transfer to degree programs at other colleges or universities subject to their approval. The degree-granting institution should be contacted for information. Credit students earn a letter grade and four-quarter units, providing they meet the instructor's criteria for passing the course. Credit students must successfully pass a written examination required by the University and pay tuition of **$115.00**. Payment is accepted using Mastercard, Visa, or a check payable to "Regents of UC" (cash is not accepted). The exam is given immediately after the course ends. The Course Manager will provide additional information on the exam.

Cancellations/Replacements: If for any reason, you are unable to attend, please notify Kayla Mikel immediately at (805) 549-3536. We do have a standby list, and notification of your cancellation will allow others to attend. If you cancel less than 30 days prior to the start of the course, a refund less $40.00 processing fee may be issued. If you do not notify CSTI, the full tuition may be charged. Refunds will be determined on a case-by-case basis. Partial tuition refunds for those who fail to complete the course cannot be issued. If another person is to replace you we will need an application completed for that person and faxed to us as soon as possible.

Transportation: CSTI is roughly 10 miles away from all hotel accommodations. Each participant is responsible for his/her own transportation arrangements and costs. American Eagle and United Express serve San Luis Obispo County Airport. Amtrak also serves San Luis Obispo County. Car rental agencies with offices at the airport include Hertz 805/543-8843, Avis (805) 544-0630, Budget (805) 541-2722, and Thrifty (805) 544-3777.

Student Attire: We recommend casual civilian attire, however due to frequent weather extremes, a set of warm clothing is strongly recommended. Please bring a jacket or sweater to wear in the classroom.

Attendance Policy: CSTI recognizes that participants in its programs are professionals with many responsibilities and time constraints. Programs are scheduled to present the maximum amount of information in the shortest possible time. It is important that participants attend the entire training program; credit for completion cannot be granted if more than 10% of the program is missed.

Emergency Contact: (805) 549-3536 or (805) 549-3535. Non-emergency messages will be distributed to the student's mailbox for pick-up at their next break; students will be contacted during class sessions for emergency calls only. Students may be contacted after class at the hotel at (805) 772-5651.

Miscellaneous: If you have a disability which should be considered when making seating or room assignments, please notify CSTI in advance of the course. CSTI adheres to a "Non-attribution Policy," which allows participants to speak freely in a closed class session. Therefore, cameras and recording devices are not permitted. **Class will adjourn by noon, Friday**.